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No. 46] NEW DELHI, NOVEMBER 12—NOVEMBER 18, 2017, SATURDAY/KARTIKA 21—KARTIKA 27, 1939

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

वित्त मंत्रालय
(वित्तीय सेवाएं विभाग)

नई दिल्ली, 10 नवम्बर, 2017

का.आ. 2617.—भारतीय निर्यात-आयात बैंक अधिनियम, 1981 (1981 का 28) की धारा 6 की उप-धारा (1) के खंड (ड.) के उप-खंड (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री अमर सिन्हा के स्थान पर विदेश मंत्रालय में सचिव (ईआर) श्री विजय केशव गोखले (आईएफएस: 1981) को अगले आदेशों तक भारतीय निर्यात-आयात बैंक (एक्जिम बैंक) के निदेशक मण्डल में निदेशक के रूप में नामित करती है।

[फा.सं. 9/16/2012-आईएफ-1]

सौम्यजित घोष, अवर सचिव

MINISTRY OF FINANCE
(Department of Financial Services)

New Delhi, the 10th November, 2017

S.O. 2617.—In exercise of the powers conferred by Sub-Clause (i) of Clause (e) of sub-section (1) of Section 6 of the Export Import Bank of India Act, 1981 (28 of 1981), the Central Government hereby nominates Sh. Vijay Keshav Gokhale (IFS: 1981), Secretary (ER), Ministry of External Affairs as Director on the Board of Directors of Export Import Bank of India (EXIM Bank) vice Sh. Amar Sinha until further orders.

[F. No. 9/16/2012-IF-1]

SOUMYAJIT GHOSH, Under Secy.

विदेश मंत्रालय

(सी.पी.वी. प्रभाग)

नई दिल्ली, 6 नवम्बर, 2017

का.आ. 2618.—राजनयिक और कौंसुलीय अधिकारी (शपथ एवं फीस) के अधिनियम, 1948 (1948 का 41) की धारा 2 के खंड (क) के अनुसरण में वैधानिक आदेश ।

एतद्वारा, केंद्र सरकार भारत के दूतावास, रियाद में श्री मोहम्मद अली जौहर, सहायक अनुभाग अधिकारी, श्री राजीव रंजन, सहायक अनुभाग अधिकारी और श्री अरुण प्रकाश शर्मा, सहायक अनुभाग अधिकारी को दिनांक 6 नवम्बर, 2017 से सहायक कौंसुलर अधिकारी के तौर पर कौंसुलर सेवाओं के निर्वहन के लिए प्राधिकृत करती है ।

[सं. टी-4330/01/2016]

प्रकाश चन्द, निदेशक (कौंसुलर)

MINISTRY OF EXTERNAL AFFAIRS

(CPV DIVISION)

New Delhi, the 6th November, 2017

S.O. 2618.—Statutory Order in pursuance of clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby appoints the following officers in Embassy of India, Riyadh to perform the Consular services with effect from 6th November, 2017.

Sr.No.	Name	Designation
1.	Shri Rajeev Ranjan	Assistant Section Officer
2.	Shri Arun Prakash	Assistant Section Officer
3.	Shri Mohammed Ali Jouher	Assistant Section Officer

[No. T-4330/01/2016]

PRAKASH CHAND, Director (Consular)

विद्युत मंत्रालय

नई दिल्ली, 13 नवम्बर, 2017

का.आ. 2619.—केंद्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में, विद्युत मंत्रालय के प्रशासनिक नियंत्रणाधीन पावर ग्रिड कारपोरेशन ऑफ इंडिया लिमिटेड के 400/132 के.वी. उपकेंद्र बाँका, ग्राम व पोस्ट ऑफिस - खड़हरा, थाना - बाराहाट, भागलपुर - हंसडीहा राज्य उच्च पथ-19, जिला - बाँका-813103 जिसके 80 प्रतिशत कर्मचारीवृंद ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है ।

[सं. 11011/9/2017-हिंदी]

भारती, संयुक्त सचिव

MINISTRY OF POWER

New Delhi, the 13th November, 2017

S.O. 2619.—In pursuance of Sub-rule (4) of Rule 10 of the Official Languages (Use for Official Purpose of the Union) Rules, 1976, the Central Government hereby notify the 400/132 KV Banka Sub-station, Vill+PO - Kharhara, Thana - Barahat, Bhagalpur - Hansdiha State Highway-19, Dist. Banka-813103 of the Power Grid Corporation of India Ltd. under the Administrative control of Ministry of Power, where 80% of the staff have acquired working knowledge of Hindi.

[No. 11011/9/2017- Hindi]

BHARATI, Jt. Secy.

कोयला मंत्रालय

नई दिल्ली, 9 नवम्बर, 2017

का.आ. 2620.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उप-धारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.आ. 1253, तारीख 19 मई, 2017 जो भारत के राजपत्र, भाग II, खण्ड 3, उप-खण्ड (ii) तारीख 20 मई, 2017 में प्रकाशित की गई थी, उस अधिसूचना द्वारा संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की 272.358 हेक्टर (लगभग) या 672.99 एकड़ (लगभग) माप वाली भूमि में या ऐसी भूमि पर के सभी अधिकारों का अर्जन करने के अपने आषय की सूचना दी थी;

और, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार को पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और छत्तीसगढ़ सरकार से पुनः परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 267.358 हेक्टर (लगभग) या 660.64 एकड़ (लगभग) माप वाली भूमि में या ऐसी भूमि पर के सभी अधिकार अर्जित किए जाने चाहिए;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इससे संलग्न अनुसूची में वर्णित 267.358 हेक्टर (लगभग) या 660.64 एकड़ (लगभग) माप वाली भूमि में या ऐसी भूमि पर के सभी अधिकार अर्जित किए जाते हैं।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक संख्या एसईसीएल/बीएसपी/जीएम(पीएलजी)/भूमि/517, तारीख 28 अगस्त, 2017 का निरीक्षण कलेक्टर, जिला कोरिया (छत्तीसगढ़) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता - 700001 के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग) सीपत रोड, बिलासपुर - 495006 (छत्तीसगढ़) के कार्यालय में किया जा सकता है।

अनुसूची

चिरिमिरी ओसीएम, चिरिमिरी क्षेत्र,

जिला— कोरिया (छत्तीसगढ़)

(क्षेत्र की रेखांक संख्या एसईसीएल/बीएसपी/जीएम(पीएलजी)/भूमि/517, तारीख 28 अगस्त, 2017)

सभी अधिकार:**(क) राजस्व भूमि :**

क्रम संख्या	ग्राम का नाम	पटवारी हल्का संख्या	तहसील का नाम	जिला का नाम	क्षेत्र हेक्टर में	टिप्पणियां
1.	चिरिमिरी	07	खड़गवा	कोरिया	140.358	भाग
2.	भंडारदेई	07	खड़गवा	कोरिया	14.379	भाग
3.	भुकभुकी	07	खड़गवा	कोरिया	5.621	भाग
कुल: 160.358 हेक्टर (लगभग) या 396.24 एकड़ (लगभग)						

(ख) वन भूमि :

क्रम संख्या	वन का प्रकार	कम्पार्टमेंट संख्या	श्रेणी	प्रभाग	क्षेत्र हेक्टर में	टिप्पणियां
1.	आरक्षित वन	549, 550	चिरिमिरी	कोरिया	107.000	भाग
कुल : 107.000 हेक्टर (लगभग) या 264.40 एकड़ (लगभग)						

कुल योग (क+ख): 267.358 हेक्टर (लगभग) या 660.64 एकड़ (लगभग)

1. ग्राम चिरिमिरी (भाग) में अर्जित किए गए प्लॉट संख्या: 3/1(भाग), 7/1, 11/1, 17/1, 18/1, 19/1, 20/1, 36/1 से 36/3, 36/5 से 36/11, 37 से 44, 46/3, 50/1, 50/2, 51, 52, 53/1, 53/2, 54 से 56, 57/2, 68/1, 69/1 से 69/8, 69/9क, 69/9/ख/1, 69/9/ख/2, 69/10, 69/12, 70/1, 71/1, 72/1, 115/1, 120/1, 121, 122, 123/1, 123/14, 123/15, 124 से 126, 127/1, 127/2, 128, 129/1, 129/2, 131 से 138, 139/1 से 139/4, 140, 141/1, 141/2, 142, 143/1, 143/1/क, 143/1/ख, 143/1/ग, 143/1/घ, 143/2, 143/3, 144 से 148, 150/1 से 150/3, 150/6 से 150/9, 151/1 से 151/11, 152 से 155, 156/1 से 156/4, 157 से 160, 161/3, 162, 163/1, 163/3, 164/1, 164/4.
2. ग्राम भंडारदेई (भाग) में अर्जित किए गए प्लॉट संख्या: 45/3, 103, 105/3, 108/1, 108/2/क, 108/2/ख, 112, 113/1, 113/2, 114/1, 114/2, 115/1 से 115/3, 116/1, 116/2, 117, 118, 119/2, 120/1, 120/2, 121/1, 121/2, 122 से 126.
3. ग्राम भुकभुकी (भाग) में अर्जित किए गए प्लॉट संख्या: 37, 38, 287.

सीमा वर्णन :

ब्लॉक — 1 :

- क—ख रेखा बिन्दु "क" से आरंभ होती है और आरक्षित वन के कम्पार्टमेंट संख्या 549 से होकर 549 के भागतः उत्तरी सीमा से होती हुई, प्लॉट संख्या 120/1, 120/2 से होकर 121/2, 119/2 के उत्तरी सीमा, 103 के पश्चिमी एवं पूर्वी सीमा, 113/1, 113/2 के उत्तरी सीमा से होती हुई बिन्दु "ख" पर मिलती है।
- ख—ग रेखा बिन्दु "ख" से आरंभ होती है और ग्राम भंडारदेई के प्लॉट संख्या 114/2 के पश्चिमी सीमा, कम्पार्टमेंट संख्या 550 से होकर, 550 के उत्तरी सीमा से होती हुई बिन्दु "ग" पर मिलती है।
- ग—घ रेखा बिन्दु "ग" से आरंभ होती है और ग्राम भुकभुकी के प्लॉट संख्या 287 के पश्चिमी सीमा से होकर ग्राम चिरिमिरी में प्रवेश कर प्लॉट संख्या 36/11, 36/1, 36/2, 44, 46/3, 130, 50, 50/2, 57/2, 69, 70 के पश्चिमी सीमा से होती हुई 71, 72, 3/1, 17 से होकर 18/1 के दक्षिणी सीमा से होती हुई बिन्दु "घ" पर मिलती है।
- घ—ङ रेखा बिन्दु "घ" से आरंभ होती है और ग्राम चिरिमिरी के प्लॉट संख्या 181 के पश्चिमी एवं उत्तरी सीमा, 3/1 के उत्तरी एवं पूर्वी सीमा, 72, 71, 70 से होती हुई बिन्दु "ङ" पर मिलती है।
- ङ—च रेखा बिन्दु "ङ" से आरंभ होती है और ग्राम चिरिमिरी के प्लॉट संख्या 117/1, 115, 120/3, 165, 151/9, 151/1, 150/1 से होकर 150/4 के दक्षिणी सीमा, 149 और ग्राम चिरिमिरी—भुकभुकी के भागतः सम्मिलित सीमा से होती हुई बिन्दु "च" पर मिलती है।
- च—छ रेखा बिन्दु "च" से आरंभ होती है और ग्राम भुकभुकी के प्लॉट संख्या 287 से होकर 38 के पूर्वी सीमा से होती हुई आरक्षित वन कम्पार्टमेंट संख्या 549 से होती हुई बिन्दु "छ" पर मिलती है।
- छ—क रेखा बिन्दु "छ" से आरंभ होती है और आरक्षित वन के कम्पार्टमेंट संख्या 549 से होकर ग्राम भंडारदेई के प्लॉट संख्या 126, 124 के दक्षिणी सीमा, कम्पार्टमेंट संख्या 549 से गुजरती हुई आरंभिक बिन्दु "क" पर मिलती है।

ब्लॉक — 2:

- ज—झ रेखा बिन्दु "ज" से आरंभ होती है और ग्राम चिरिमिरी के प्लॉट संख्या 7 के उत्तरी सीमा से गुजरती हुई बिन्दु "झ" पर मिलती है।
- झ—ञ रेखा बिन्दु "ज" से आरंभ होती है और ग्राम चिरिमिरी के प्लॉट संख्या 7 के दक्षिणी सीमा से गुजरती हुई बिन्दु "झ" पर मिलती है।
- ञ—ज रेखा बिन्दु "ज" से आरंभ होती है और ग्राम चिरिमिरी के प्लॉट संख्या 7 के पश्चिमी सीमा से गुजरती हुई आरंभिक बिन्दु "ज" पर मिलती है।

ब्लॉक — 3:

- ट—ठ रेखा बिन्दु "ज" से आरंभ होती है और ग्राम चिरिमिरी के प्लॉट संख्या 11 के पूर्वी सीमा से गुजरती हुई बिन्दु "ठ" पर मिलती है।
- ठ—ड रेखा बिन्दु "ठ" से आरंभ होती है और ग्राम चिरिमिरी के प्लॉट संख्या 11 के दक्षिणी सीमा से गुजरती हुई बिन्दु "ड" पर मिलती है।

ड-ट रेखा बिन्दु "ड" से आरंभ होती है और ग्राम चिरिमिरी के प्लॉट संख्या 11 के पश्चिमी एवं उत्तरी सीमा से गुजरती हुई आरंभिक बिन्दु "ट" पर मिलती है।

ब्लाक — 4 :

ढ-ण रेखा बिन्दु "ढ" से आरंभ होती है और ग्राम चिरिमिरी के प्लॉट संख्या 36/6 के उत्तरी, 36/6, 36/7, 36/5 के पूर्वी सीमा से गुजरती हुई बिन्दु "ण" पर मिलती है।

ण-त रेखा बिन्दु "ण" से आरंभ होती है और ग्राम चिरिमिरी के प्लॉट संख्या 36/5, 36/3 के दक्षिणी सीमा, 36/3 के पश्चिमी सीमा से गुजरती हुई बिन्दु "त" पर मिलती है।

त-ढ रेखा बिन्दु "त" से आरंभ होती है और ग्राम चिरिमिरी के प्लॉट संख्या 36/3, 36/6 के पश्चिमी सीमा से होती हुई आरंभिक बिन्दु "ढ" पर मिलती है।

ब्लाक — 5 :

थ-द रेखा बिन्दु "थ" से आरंभ होती है और ग्राम भंडारदेई के प्लॉट संख्या 108/2ख, 108/1, 105/3 के पूर्वी, 105/3 के दक्षिणी सीमा से गुजरती हुई बिन्दु "द" पर मिलती है।

द-ध रेखा बिन्दु "द" से आरंभ होती है और ग्राम भंडारदेई के प्लॉट संख्या 108/2क के दक्षिणी एवं पश्चिमी सीमा से गुजरती हुई बिन्दु "ध" पर मिलती है।

ध-थ रेखा बिन्दु "ध" से आरंभ होती है और ग्राम भंडारदेई के प्लॉट संख्या 108/2क, 108/2ख के उत्तरी सीमा से गुजरती हुई आरंभिक बिन्दु "थ" पर मिलती है।

ब्लाक — 6 :

न-प रेखा बिन्दु "न" से आरंभ होती है और ग्राम भंडारदेई के प्लॉट संख्या 45/3 के दक्षिणी और पश्चिमी सीमा से गुजरती हुई बिन्दु "प" पर मिलती है।

प-फ रेखा बिन्दु "प" से आरंभ होती है और ग्राम भंडारदेई के प्लॉट संख्या 45/3 के उत्तरी सीमा से गुजरती हुई बिन्दु "फ" पर मिलती है।

फ-न रेखा बिन्दु "फ" से आरंभ होती है और ग्राम भंडारदेई के प्लॉट संख्या 45/3 के पूर्वी सीमा से गुजरती हुई आरंभिक बिन्दु "न" पर मिलती है।

[फा. सं. 43015/19/2016—एलए एण्ड आईआर]

आर. एस. सरोज, अवर सचिव

MINISTRY OF COAL

New Delhi, the 9th November, 2017

S.O. 2620.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 1253, dated the 19th May, 2017 issued under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 20th May, 2017, the Central Government gave notice of its intention to acquire all rights in or over such land measuring 272.358 hectares (approximately) or 672.99 acres (approximately) in the locality specified in the Schedule appended to that notification;

And whereas, the competent authority in pursuance of section 8 of the said Act has made his report to the Central Government;

And whereas, the Central Government after considering the aforesaid report and after consulting the Government of Chhattisgarh, is satisfied that the lands measuring 267.358 hectares (approximately) or 660.64 acres (approximately) and all rights in or over such lands as described in Schedule appended hereto, should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the land measuring 267.358 hectares (approximately) or 660.64 acres (approximately) and all rights in or over such lands as described in Schedule are hereby acquired.

The plan bearing number SECL/BSP/GM(PLG)/LAND/ 517, dated the 28th August, 2017 of the area covered by this notification may be inspected in the office of the Collector, District Korea (Chhattisgarh) or in the office of the Coal Controller, 1, Council House Street, Kolkata – 700001 or in the office of the South Eastern Coalfield Limited (Revenue Section), Seepat Road, Bilaspur-495006 (Chhattisgarh).

SCHEDULE

Chirimiri OCM, Chirimiri Area,

District – Korea (Chhattisgarh)

(Plan bearing number SECL/ BSP/ GM(PLG)/ LAND/ 517, dated the 28th August, 2017)**All Rights:****A. Revenue Land:**

Sl. No.	Name of village	Patwari Halka number	Tahsil	District	Area in hectares	Remarks
1.	Chirimiri	07	Khadgawan	Korea	140.358	Part
2.	Bhandardei	07	Khadgawan	Korea	14.379	Part
3.	Bhukbhuki	07	Khadgawan	Korea	5.621	Part
Total:-160.358 hectares (approximately) or 396.24 acres (approximately)						

B. Forest Land:

Sl. No.	Type of Forest	Compartment No.	Range	Division	Area in hectares	Remarks
1.	Reserve Forest	549, 550	Chirimiri	Korea	107.000	Part
Total:-107.000 hectares (approximately) or 264.40 acres (approximately)						

Grand Total (A+B)= 267.358 hectares (approximately)

or 660.64 acres (approximately)

1. Plot numbers acquired in village Chirimiri (Part): 3/1(P), 7/1, 11/1, 17/1, 18/1, 19/1, 20/1, 36/1 to 36/3, 36/5 to 36/11, 37 to 44, 46/3, 50/1, 50/2, 51, 52, 53/1, 53/2, 54 to 56, 57/2, 68/1, 69/1 to 69/8, 69/9Ka, 69/9/Kha/1, 69/9/Kha/2, 69/10, 69/12, 70/1, 71/1, 72/1, 115/1, 120/1, 121, 122, 123/1, 123/14, 123/15, 124 to 126, 127/1, 127/2, 128, 129/1, 129/2, 131 to 138, 139/1 to 139/4, 140, 141/1, 141/2, 142, 143/1, 143/1/Ka, 143/1/Kha, 143/1/Ga, 143/1/Gha, 143/2, 143/3, 144 to 148, 150/1 to 150/3, 150/6 to 150/9, 151/1 to 151/11, 152 to 155, 156/1 to 156/4, 157 to 160, 161/3, 162, 163/1, 163/3, 164/1, 164/4.

2. Plot numbers acquired in village Bhandardei (Part): 45/3, 103, 105/3, 108/1, 108/2/Ka, 108/2/Kha, 112, 113/1, 113/2, 114/1, 114/2, 115/1 to 115/3, 116/1, 116/2, 117, 118, 119/2, 120/1, 120/2, 121/1, 121/2, 122 to 126.

3. Plot numbers acquired in village Bhukbhuki (Part): 37, 38, 287.

Boundary description:**Block – 1:**

A-B Line starts from point 'A' and passes in Reserve Forest through compartment number 549, along partly northern boundary of 549, through plot number 120/1, 120/2, along partly northern boundary of 121/2, 119/2, western, northern and eastern boundary of plot number 103, northern boundary of 113/1, 113/2 and meets at point 'B'.

B-C- Line starts from point 'B' and passes in village Bhandardei along western boundary of plot number 114/2, through compartment number 550, along northern boundary of compartment number 550 and meets at point 'C'.

- C-D Line starts from point 'C' and passes in village Bhukbhuki along western boundary of plot number 287 then enter in village Chirimiri and passes along western boundary of plot number 36/11, 36/1, 36/2, 44, 46/3, 130, 50, 50/2, 57/2, 69, 70, through 71, 72, 3/1, 17, along southern boundary of 18/1 and meets at point 'D'.
- D-E Line starts from point 'D' and passes in village Chirimiri along western and northern boundary of plot number 181, northern and eastern boundary of 3/1, through 72, 71, 70 and meets at point 'E'.
- E-F Line starts from point 'E' and passes in village Chirimiri through plot number 117/1, 115, 120/3, 165, 151/9, 151/1, 150/1, along southern boundary of 150/4, through 149, partly common boundary of villages Chirimiri-Bhukbhuki and meets at point 'F'.
- F-G Line starts from point 'F' and passes in village Bhukbhuki through plot number 287, along eastern boundary of 38, through compartment number 549 of Reserve Forest and meets at point 'G'.
- G-A Line starts from point 'G' and passes through Reserve Forest compartment number 549, along southern boundary of plot number 126, 124 of village Bhandardei, through compartment number 549 and meets at starting point 'H'.

Block – 2 :

- H-I Line starts from point 'H' and passes in village Chirimiri along northern boundary of plot number 7 and meets at point 'I'.
- I-J Line starts from point 'I' and passes in village Chirimiri along southern boundary of plot number 7 and meets at point 'J'.
- J-H Line starts from point 'J' and passes in village Chirimiri along western boundary of plot number 7 and meets at starting point 'H'.

Block – 3 :

- K-L Line starts from point 'K' and passes in village Chirimiri along eastern boundary of plot number 11 and meets at point 'L'.
- L-M Line starts from point 'L' and passes in village Chirimiri along southern boundary of plot number 11 and meets at point 'M'.
- M-K Line starts from point 'M' and passes in village Chirimiri along western boundary of plot number 11 and meets at starting point 'K'.

Block – 4 :

- N-O Line starts from point 'N' and passes in village Chirimiri along northern boundary of plot number 36/6, eastern boundary of 36/6, 36/7, 36/5 and meets at point 'O'.
- O-P Line starts from point 'O' and passes in village Chirimiri along southern boundary of plot number 36/5, 36/3, western boundary of 36/3 and meets at point 'P'.
- P-N Line starts from point 'P' and passes in village Chirimiri along western boundary of plot number 36/3, 36/6 and meets at starting point 'N'.

Block – 5:

- Q-R Line starts from point 'Q' and passes in village Bhandardei along eastern boundary of plot number 108/2Kha, 108/1, 105/3, southern boundary of 105/3 and meets at point 'R'.
- R-S Line starts from point 'R' and passes in village Bhandardei along southern and western boundary of plot number 108/2Ka and meets at point 'S'.
- S-Q Line starts from point 'S' and passes in village Bhandardei along northern boundary of plot number 108/2Ka, 108/2Kha and meets at starting point 'Q'.

Block – 6 :

- T-U Line starts from point 'T' and passes in village Bhandardei along southern and western boundary of plot number 45/3 and meets at point 'U'.

- U-V Line starts from point 'U' and passes in village Bhandardei along northern boundary of plot number 45/3 and meets at point 'V'.
- V-T Line starts from point 'V' and passes in village Bhandardei along eastern boundary of plot number 45/3 and meets at starting point 'T'.

[F. No. 43015/19/2016-LA&IR]

R. S. SAROJ, Under Secy.

नई दिल्ली, 10 नवम्बर, 2017

का.आ. 2621.—केन्द्रीय सरकार के कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उप-धारा (1) के अधीन जारी भारत के राजपत्र, भाग II, खंड 3, उप-खंड (ii), तारीख 4 जुलाई, 2017 में प्रकाशित, भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक का.आ. 2097(अ), तारीख 03 जुलाई, 2017 द्वारा प्रकाशित, उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट 7.45 हेक्टेयर (लगभग) अथवा 18.41 एकड़ (लगभग) परिक्षेत्र की भूमि में या उस पर के सभी अधिकार का अर्जन के अपने आशय की सूचना दी थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का, उपर्युक्त रिपोर्ट पर विचार करने के पश्चात् और झारखंड सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में यथा विनिर्दिष्ट 7.45 हेक्टेयर (लगभग) अथवा 18.41 एकड़ (लगभग), माप वाली भूमि के सभी अधिकार का अर्जन किया जाना चाहिए।

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इससे संलग्न अनुसूची में विनिर्दिष्ट 7.45 हेक्टेयर (लगभग) अथवा 18.41 एकड़ (लगभग), माप वाली भूमि में या उस पर के सभी अधिकार अर्जित किए जाते हैं।

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक संख्यांक आरईवी/10/2017, तारीख 06 अक्टूबर, 2017 का निरीक्षण उपायुक्त, जिला बोकारो, झारखंड के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता- 700001 के कार्यालय में या महाप्रबंधक, ढोरी क्षेत्र, जिला बोकारो (झारखंड) या महाप्रबंधक, भूमि और राजस्व, सेंट्रल कोलफील्ड्स लिमिटेड, दरभंगा हाउस, राँची- 834001 (झारखंड) या मुख्य महाप्रबंधक (खोज प्रभाग), सेंट्रल माइन प्लानिंग एण्ड डिजाइन इन्स्टीच्यूट लिमिटेड, गोंडवाना पैलेस, कांके रोड, राँची- 834008 (झारखंड) के कार्यालय में किया जा सकता है।

अनुसूची

सेलेक्टेड ढोरी खुली खदान खान

जिला बोकारो (झारखंड)

(क्षेत्र की रेखांक संख्यांक आरईवी/10/2017, तारीख 6 अक्टूबर, 2017)

सभी अधिकार:

क्र. सं.	ग्राम	थाना	थाना संख्या	जिला	क्षेत्रफल (एकड़ में)	क्षेत्रफल (हेक्टेयर में)	टिप्पणियां
1.	तुरियो	चन्द्रपुरा	78	बोकारो	18.41	7.45	भाग
कुल :					18.41 एकड़ (लगभग)	7.45 हेक्टेयर (लगभग)	

ग्राम तुरियो में अर्जित की गई भूमि की प्लॉट संख्या : 01(भाग).

सीमा वर्णन:

- क-ख-ग-घ-ङ-च-छ - रेखा, प्लॉट संख्या 01 के भीतर बिन्दु 'क' से प्रारंभ होकर प्लॉट संख्या 01 के भीतर बिन्दु 'ख', 'ग', 'घ', 'ङ' और 'च' से होते हुए बिन्दु 'छ' पर मिलती है।
- छ-ज-झ-ञ-ट-ठ - रेखा, बिन्दु 'छ' से 'ठ' तक प्लॉट संख्यांक 308, 298, 294, 293, 285, 284 और 283 की सीमा रेखा से होते हुए बिन्दु 'ठ' पर मिलती है।
- ठ-ड-ढ-ण-त-थ-द-ध-न-प-फ-ब-क - रेखा, बिन्दु 'ठ' से 'ब' तक प्लॉट संख्यांक 273, 25, 23, 21, 20, 19, 18, 17, 16, 15, 11, 10 और 9 की सीमा रेखा से होते हुए प्लॉट संख्या 01 के भीतर प्रारम्भिक बिन्दु 'क' पर मिलती है।

[फा.सं. 43015/10/2017-एलए एण्ड आईआर]

आर. एस. सरोज, अवर सचिव

New Delhi, the 10th November, 2017

S.O. 2621.—Whereas by the notification of the Government of India in the Ministry of Coal vide S.O. 2097(E), dated the 3rd July, 2017, issued under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 4th July, 2017, the Central Government gave notice of its intention to acquire the all rights in and over the land measuring 7.45 hectares (approximately) or 18.41 acres (approximately) in the locality specified in the Schedule appended to that notification;

And whereas, the competent authority in pursuance of section 8 of the said Act has made his report to the Central Government;

And whereas, the Central Government after considering the report aforesaid and after consulting the Government of Jharkhand is satisfied that the all rights in and over land measuring 7.45 hectares (approximately) or 18.41 acres (approximately), described in the Schedule appended hereto should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that all rights in and over land measuring 7.45 hectares (approximately) or 18.41 acres (approximately), described in the Schedule annexed hereto are hereby acquired.

The plan bearing number REV/10/2017, dated the 6th October, 2017 of the area covered by this notification may be inspected in the Office of the Deputy Commissioner, District -Bokaro, Jharkhand or at the Office of Coal Controller, 1, Council House street, Kolkata -700001 or in the Office of the General Manager, Dhori Area, District Bokaro, Jharkhand or General Manager, Land and Revenue, Central Coalfields Limited, Darbhanga House, Ranchi-834001, Jharkhand or Chief General Manager(Exploration Division), Central Mine Planning and Design Institute Limited, Gondwana Palace, Kanke Road, Ranchi - 834008, Jharkhand.

SCHEDULE

Selected Dhori Opencast Mine
District- Bokaro (Jharkhand)

[Plan bearing number Rev/10/2017, dated the 6th October, 2017]**All Rights :**

Sl. No.	Village	Thana	Thana number	District	Area (in acres)	Area (in hectares)	Remarks
1.	Turio	Chandrapura	18	Bokaro	18.41	7.45	Part
Total:					18.41 acres (approximately)	7.45 hectares (approximately)	

Plot number acquired in village Turio: 01(P).**Boundary Description:**

- A-B-C-D-E-F-G : Line starts from point 'A' within plot number 01 and passes through points 'B', 'C', 'D', 'E', and 'F' and meets at point 'G' within plot number 01.
- G-H-I-J-K-L : Line passes through points 'G' to 'L' through boundary line of plot numbers 308, 298, 294, 293, 285, 284 and 283 and meets at point 'L'.
- L-M-N-O-P-Q-R-S-T-U-V-W-A : Line passes through points 'L' to 'W' through boundary line of plot numbers 273, 25, 23, 21, 20, 19, 18, 17, 16, 15, 11, 10 and 9 and meets at starting point 'A' within the plot number 01.

[F. No. 43015/19/2017-LA&IR]

R. S. SAROJ, Under Secy.

नई दिल्ली, 15 नवम्बर, 2017

का.आ. 2622.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) के अधीन भारत सरकार में कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्या का.आ. 2208 (अ), तारीख 12 जुलाई, 2017, जो भारत के राजपत्र, भाग II, खंड 3, उप-खंड (ii), तारीख 13 जुलाई, 2017 में प्रकाशित की गई थी, उक्त अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 1252.447 हेक्टर (लगभग) या 3094.79 एकड़ (लगभग) है, कोयले का पूर्वक्षण करने के अपने आशय की सूचना दी थी;

और केन्द्रीय सरकार का यह समाधान हो गया है कि इस अधिसूचना में उपाबद्ध अनुसूची में विहित की गई उक्त भूमि में कोयला अभिप्राप्त है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इससे संलग्न अनुसूची में वर्णित 1252.447 हेक्टर (लगभग) या 3094.79 (लगभग) माप की उक्त भूमि और ऐसी भूमि में के या उस पर के सभी अधिकार का अर्जन करने के अपने आशय की सूचना देती है:

टिप्पण 1 : इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक संख्या आरवीयूएन/पीसीबी/सीबीए/7/1, तारीख 21 जुलाई, 2017 का निरीक्षण जिला कलेक्टर, जिला सुरजपुर और सरगुजा (छत्तीसगढ़) या कोयला नियंत्रक, 1, काउंसिल हाऊस स्ट्रीट, कोलकाता – 700001 के कार्यालय में या अपर मुख्य इंजीनियर (ईंधन) या उप मुख्य इंजीनियर (ईंधन) या उप मुख्य इंजीनियर (कोयला), राजस्थान राज्य विद्युत उत्पादन निगम लिमिटेड, रजिस्ट्रीकृत कार्यालय और मुख्यालय, विद्युत भवन, जनपथ, ज्योति नगर, जयपुर (राजस्थान) – 302005 के कार्यालय में किया जा सकता है।

टिप्पण 2 : उक्त अधिनियम की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध है :—

अर्जन की बाबत आपत्तियां:

“8.(1) कोई व्यक्ति, जो किसी भूमि में, जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

स्पष्टीकरण.— इस धारा के अन्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन संक्रियाएं करना चाहता है और ऐसी संक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।

(2) उप-धारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जाएगी और सक्षम प्राधिकारी, आपत्तिकर्ता को स्वयं सुने जाने या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जाँच, यदि कोई हो, करने के पश्चात्, जो वह आवश्यक समझता है, वह या तो धारा 7 की उप-धारा (1) के अधीन अधिसूचित भूमि का या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होगा, यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं।”

टिप्पण 3 : केन्द्रीय सरकार ने कोयला नियंत्रक, 1, काउंसिल हाऊस स्ट्रीट, कोलकाता-700001 को उक्त अधिनियम की धारा 3 के अधीन अधिसूचना संख्या का.आ. 1290 (अ), तारीख 24 अप्रैल, 2017, जो भारत के राजपत्र, भाग II, खण्ड 3, उप-खण्ड (ii) में 25 अप्रैल, 2017 में प्रकाशित की गई थी, सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

परसा कोयला ब्लॉक

जिला — सरगुजा और सुरजपुर (छत्तीसगढ़)

(रेखांक संख्या आरवीयूएन/पीसीबी/सीबीए/7/1, तारीख 21 जुलाई, 2017)

सभी अधिकार:

(क) राजस्व भूमि का विवरण:

क्रम सं.	ग्राम का नाम	ग्राम संख्या	पटवारी सर्किल/हल्का संख्या	तहसील	जिला	क्षेत्र (हेक्टेयर में)	टिप्पणियां
1.	तारा	29	17	प्रेमनगर	सुरजपुर	94.490	भाग
2.	जनार्दनपुर	30	11	प्रेमनगर		67.666	भाग
					कुल	162.156	
3.	फतेहपुर	66	17	उदयपुर	सरगुजा	196.555	भाग
4.	घाटबर्वा	67	17	उदयपुर		8.985	भाग
5.	हरिहरपुर	65	16	उदयपुर		147.828	भाग
6.	साल्ही	64	16	उदयपुर		180.919	भाग
					कुल	534.287	
					कुल जोड़	696.443	
कुल राजस्व भूमि : 696.443 हेक्टेयर (लगभग) या 1720.91 एकड़ (लगभग)							

(ख) आरक्षित और संरक्षित वन भूमि का विवरण:

क्रम सं.	वन भूमि का प्रकार	वन सर्किल	वन मंडल और जिला	परिक्षेत्र / तहसील	कंपार्टमेंट संख्या	क्षेत्र (हेक्टेयर में)	टिप्पणियां
1.	आरक्षित वन भूमि	सरगुजा सर्किल, अंबिकापुर	सुरजपुर	रामानुजनगर/ प्रेमनगर	1982	124.748	भाग
2.	आरक्षित वन भूमि			रामानुजनगर/ प्रेमनगर	1981	12.483	भाग
3.	संरक्षित वन भूमि			रामानुजनगर/ प्रेमनगर	पी-1986	37.209	भाग
4.	संरक्षित वन भूमि			रामानुजनगर/ प्रेमनगर	पी-1997	11.109	भाग
					कुल	185.549	
5.	संरक्षित वन भूमि	सरगुजा सर्किल, अंबिकापुर	सरगुजा	उदयपुर	पी-2006	298.496	संपूर्ण
6.	संरक्षित वन भूमि			उदयपुर	पी-2005	50.63	भाग
7.	संरक्षित वन भूमि			उदयपुर	पी-1998	21.329	भाग
					कुल	370.455	
				कुल जोड़		556.004	
कुल आरक्षित और संरक्षित वन भूमि : 556.004 हेक्टेयर (लगभग) या 1373.88 एकड़ (लगभग)							

कुल जोड़ (क +ख) = 1252.447 हेक्टेयर (लगभग) (696.443 + 556.004)

या

3094.79 एकड़ (लगभग) (1720.91 + 1373.88)

राजस्व भूमि के प्लॉट का विवरण:

1. ग्राम तारा (भाग) में अर्जित किये जाने वाले प्लॉट संख्याक:

605 (भाग) , 606/1, 606/2, 606/3, 607, 608, 609, 610, 611, 612, 613/1, 613/2, 613/3, 614, 615, 616, 617, 618, 619, 620, 621, 622 (भाग) , 623, 624/1, 624/2, 624/3, 624/4, 624/5, 624/6, 624/7, 658, 659 (भाग), 770(भाग), 771, 772/1, 772/2, 773, 774, 775, 776, 777, 778, 779, 780, 781/1 (भाग) , 781/2 (भाग) , 783/871, 783 (भाग) , 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794 (भाग) , 795, 796, 797, 798, 799, 800, 801, 802/1, 802/2, 802/3, 802/4, 802/5, 802/6, 802/7, 802/8, 803, 804, 805/1, 805/2, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827/1, 827/2, 828, 829, 830, 831, 832, 833, 834/1, 834/2, 834/3, 834/4, 834/5, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844/1, 844/2, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863/1, 863/2, 864, 865/1, 865/2, 865/3, 865/4, 865/5, 865/6, 865/7, 865/8, 865/9, 865/10, 865/11, 865/12, 865/13, 865/14, 865/15, 866, 867, 868, 894, 895 (भाग) .

2. ग्राम जनार्दनपुर (भाग) में अर्जित किए जाने वाले प्लॉट संख्याक:

408, 409, 410, 411, 412, 413, 414/1, 414/2, 414/3, 414/4, 414/5, 414/6, 414/7, 414/8, 414/9, 414/10, 414/11, 415/1, 415/2, 415/3, 415/4, 415/5, 415/6, 416, 417/1, 417/2, 417/3, 417/4, 418, 419/1, 419/2, 420, 421/1, 421/2, 421/3, 422 (भाग) , 423, 424 (भाग) , 426, 427, 428, 429/1, 429/2, 429/3, 430, 431, 432, 433, 434 (भाग) , 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454 (भाग) , 455, 456/1, 456/2, 457 (भाग) , 458 (भाग) , 465 (भाग) , 466/1 (भाग) , 466/2 (भाग) , 467, 468, 469, 470, 471/1, 471/2, 471/3, 471/4, 471/5, 471/6, 471/7, 471/8, 471/9, 471/10, 471/11, 471/12, 471/13, 471/14, 471/15, 471/16, 471/17, 471/18, 471/19, 471/20, 471/21, 471/22, 471/23, 471/24, 471/25, 471/26, 472, 473, 474, 475 (भाग), 476.

3. ग्राम साल्ही (भाग) में अर्जित किए जाने वाले प्लॉट संख्याक:

295 (भाग), 368 (भाग), 373/1 (भाग) , 373/2 (भाग) , 501/775, 502/3 (भाग), 503/4 , 503/2 (भाग) , 503/5 (भाग) , 504/1, 504/2, 504/3, 505/1, 505/2, 505/3, 506, 507, 508, 509, 510, 511/1 (भाग), 511/3 511/4 (भाग), 515/734 (भाग) , 523 (भाग) , 524 (भाग) , 525 (भाग) , 526, 527, 528/1, 528/2, 529/1, 529/2, 529/3 (भाग) , 529/4 (भाग) , 530, 531/1, 531/2, 532, 533, 534, 535, 536 (भाग) , 537, 538, 539, 540/1, 540/2, 540/3, 541, 542/1, 542/2, 542/3, 543/1, 543/2, 543/3, 543/4, 543/5, 543/6, 543/7, 544/1, 544/2, 544/3, 544/4, 544/5, 544/6, 544/7, 544/9, 544/10, 544/11, 544/12, 544/13, 544/14, 544/15, 544/773/4, 544/773/5, 544/773/2, 544/773/3, 544/773/1(भाग), 544/8(ग), 544/8(घ), 544/8 (क), 544/8(ख), 545/776, 545, 546/1, 546/2, 546/3, 546/4, 546/5, 546/6, 546/7, 546/8, 546/774/3, 546/774/2, 546/774/1, 547, 548/1, 548/2, 549, 550, 551, 552, 553/1, 553/2, 553/3, 553/4, 553/5, 553/6, 553/7, 554/1, 554/2, 555, 556/1, 556/2, 556/3, 556/4, 556/5, 556/6, 556/7, 556/8, 556/9, 556/10, 556/11, 556/12, 556/13, 556/14, 557/1, 557/2, 558/1, 558/2, 559/1, 559/2, 560/1, 560/2, 561/1, 561/2, 561/3, 562, 563/1, 563/2, 563/3, 563/4, 564/1, 564/2, 564/3, 564/4, 564/5, 564/6, 564/7, 564/8, 564/9, 564/770, 564/771, 565, 566, 567, 568/1, 568/2, 568/3, 568/4, 569/1, 569/2, 569/3, 569/4, 570/1, 570/2, 570/3, 570/4, 571/1, 571/2, 572/1, 572/2, 572/3, 572/4, 573/1, 573/2 , 573/3, 573/4, 574/1, 574/2, 575, 576/1, 576/2, 576/3, 577, 578/1, 578/2, 578/3, 579, 580/1, 580/2, 581, 582, 583/1, 583/2, 583/3, 583/4, 584, 585, 586, 587/1, 587/2, 587/3, 588/1, 588/2, 588/3, 588/4, 589, 590, 591/1, 591/2, 591/3, 591/4, 592/1, 592/2, 592/3, 592/4, 592/5, 592/6, 592/7, 592/8, 593, 594/1, 594/2, 594/3, 594/4, 595/1, 595/2, 596/1, 596/2, 596/3, 596/4, 597/1, 597/2, 597/3, 598/1, 598/2, 599/1, 599/2, 599/3, 599/4, 599/5, 600, 601/2, 601/3, 601/4, 601/5, 601/6, 601/7, 601/815, 602, 603/1, 603/2, 603/3, 603/4, 603/5, 603/6, 603/7, 603/8, 603/9, 603/10, 603/11, 603/12, 603/13, 603/14, 603/15, 603/16, 603/17, 603/18, 604/1, 604/2, 604/3, 605, 606/1, 606/2, 606/3, 607, 608/1, 608/2, 608/3, 608/4, 609, 610/1, 610/2, 611/1, 611/2, 611/3, 611/4, 612/1, 612/2, 612/3, 612/4, 612/5, 612/6, 613/1, 613/2, 613/3, 613/4, 614/1, 614/2, 614/3, 614/4, 614/5, 615/1, 615/2, 615/3, 615/797/1, 615/797/2, 616, 617/1, 617/2, 617/801, 618/1, 618/2, 618/802, 619/1, 619/2, 619/3, 620/1, 620/2, 620/3, 620/4, 620/5, 620/798, 620/799, 620/800, 621, 622, 623, 624, 625, 626, 627, 628/1, 628/2, 628/3, 629/1, 629/2, 629/3, 630, 631/1, 631/2, 631/3, 632, 633, 634, 635, 636, 637, 638/1, 638/2, 638/3, 639, 640, 641, 642, 643 (भाग) , 647 (भाग) , 648, 649/760, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661(भाग) , 668(भाग) , 681/767/1(भाग), 682 (भाग) , 687/1,

687/2, 687/4, 687/5, 687/6, 687/8, 687/9, 687/10, 687/3 (भाग), 688, 689, 690, 691, 692, 693, 694/1, 694/2, 694/3, 694/4, 694/5, 694/6, 695/1, 695/2, 695/3, 695/4, 695/5, 695/6, 696/1, 696/2, 696/3, 696/4, 696/5, 696/6, 697/1, 697/2, 697/3, 710/2, 710/3, 710/4, 710/5, 710/6, 710/7, 710/8, 710/9, 711 (भाग), 712, 713/1, 713/2, 713/3, 713/4, 714/1, 714/2, 714/3, 715, 716, 717, 718, 719, 720, 721, 722, 723/1, 723/2, 724/1, 724/2, 724/3, 725, 726/2, 726/3, 726/4, 726/5, 726/6, 726/7, 726/8, 726/9, 726/10, 726/11, 726/12, 726/13, 726/14, 726/15, 726/16, 726/17, 726/18, 726/1(भाग), 727/4, 727/1(भाग), 727/3 (भाग), 789.

4. ग्राम हरिहरपुर (भाग) में अर्जित किये जाने वाले प्लॉट संख्याक:

1/2, 1/3, 1/4, 1/5, 2, 3/1, 3/2, 4/1, 4/2, 4/3, 5, 6, 7, 8, 9, 10, 11, 12/2, 12/3, 12/4, 12/5, 12/6, 12/7, 12/8, 12/9, 12/10, 12/11, 12/12, 12/13, 12/14, 12/15, 12/16, 12/17, 12/18, 12/19, 12/20, 12/21, 12/22, 12/23, 12/24, 12/25, 12/26, 12/27, 12/28, 12/29, 12/30, 12/31, 12/32, 12/33, 12/34, 12/35, 12/1 (भाग), 13/1, 13/2, 13/3, 13/4, 13/5, 13/248, 13/249, 13/250, 13/251, 13/252, 14/1, 14/2, 15/1, 15/2, 15/3, 15/4, 15/5, 16/1, 16/2, 16/3, 16/4, 16/5, 16/6, 16/7, 16/8, 17, 18/1, 18/2, 19/1, 19/2, 19/3, 19/4, 20/1, 20/2, 20/3, 20/4, 21/1, 21/2, 21/3, 21/4, 22/1, 22/2, 22/3, 22/4, 23/1, 23/2, 23/3, 24, 25/1, 25/2, 25/3, 26/1, 26/2, 26/3, 26/4, 26/5, 26/6, 27/1, 27/2, 27/3, 28/1, 28/2, 28/3, 29/1, 29/2, 29/3, 29/4, 30/1, 30/2, 30/3, 30/4, 30/5, 31/1, 31/2, 31/3, 31/4, 31/5, 31/6, 32, 33/1, 33/2, 34, 35/1, 35/2, 35/3, 35/4, 35/5, 35/6, 35/7, 35/8, 35/9, 35/249, 35/250, 36, 37, 38, 39/1, 39/2, 40/1, 40/2, 40/3, 41, 42/1, 42/2, 42/3, 42/4, 43/1, 44/1, 44/2, 44/3, 44/4, 44/5, 45, 46, 47, 48/1, 48/2, 48/3, 48/4, 48/5, 49/1, 49/2, 49/3, 49/4, 49/5, 49/6, 49/7, 49/8, 49/9, 49/10, 49/11, 49/12, 49/13, 50/1, 50/2, 50/3, 50/4, 51/1, 51/2, 51/3, 51/4, 51/5, 51/6, 51/7, 51/8, 51/9, 52/1, 52/2, 52/3, 52/4, 52/5, 52/6, 52/7, 52/250/1, 52/250/3, 52/250/2, 53/1, 53/2, 53/3, 53/4, 53/5, 53/6, 53/7, 53/8, 53/9, 54/1, 54/2, 55/1, 55/2, 55/3, 55/4, 55/5, 55/6, 55/7, 55/8, 56/1, 56/2, 56/3, 56/4, 57, 58/1, 58/2, 58/3, 59/1, 59/2, 60/1, 60/2, 61/1, 61/2, 62/1, 62/2, 63/1, 63/2, 64/1, 64/2, 65, 66, 67/1, 67/2, 67/3, 67/4, 67/5, 68/1, 68/2, 68/3, 68/4, 68/5, 68/6, 68/7, 68/8, 68/9, 69, 70/1, 70/2, 70/3, 70/4, 70/5, 70/6, 70/7, 70/8, 70/9, 70/10, 70/11, 70/12, 70/13, 70/14, 70/15, 70/16, 70/17, 70/18, 70/19, 70/20, 70/21, 70/22, 70/23, 70/24, 71/1, 71/2, 71/3, 71/4, 71/5, 71/6, 71/7, 72/1, 72/2, 72/3, 73/1, 73/2, 73/3, 73/4, 73/5, 74, 75/1, 75/2, 75/251, 75/252, 76, 77, 78, 79/1, 79/2, 79/3, 80/1, 80/2, 80/3, 80/4, 80/5, 80/6, 80/7, 80/8, 80/9, 81/1, 81/2, 81/3, 82/1, 82/2, 82/3, 82/4, 82/5, 83/1, 83/2, 83/3, 84/1, 84/2, 85/1, 85/2, 85/3, 86/1, 86/2, 87/1, 87/2, 88/1, 88/2, 89/1, 89/2, 90/1, 90/2, 90/3, 90/4, 90/5, 90/6, 90/7, 90/8, 90/9, 91/1, 91/2, 92/1, 92/2, 92/3, 92/4, 92/5, 92/6, 92/7, 92/8, 92/9, 93/1, 93/2, 93/3, 94/1, 94/2, 94/3, 95, 96/1, 96/2, 96/3, 96/4, 96/5, 97, 98/1, 98/2, 98/3, 98/4, 98/5, 99/1, 99/2, 99/3, 99/4, 100/1, 100/2, 100/3, 100/4, 100/5, 100/6, 101/1, 101/2, 101/3, 102/1, 102/2, 103/1, 103/2, 104/1, 104/2, 105, 106/1, 106/2, 107/1, 107/2, 107/3, 107/4, 108, 109, 110, 111/1, 111/2, 111/3, 111/4, 112/1, 112/2, 112/3, 112/4, 113, 114, 115/1, 115/2, 116/1, 116/2, 116/3, 117/1, 117/2, 118/1, 118/2, 119/1, 119/2, 119/3, 119/4, 120/1, 120/2, 121/1, 121/2, 122/1, 122/2, 123, 124, 125, 126, 127, 128, 129/1, 129/2, 130/1, 130/2, 131/1, 131/2, 132/1, 132/2, 133/1, 133/2, 133/3, 133/4, 134, 135/1, 135/2, 136, 137/1, 137/2, 138, 139/1, 139/2, 140, 141, 142/1, 142/2, 142/3, 143, 144, 145/1, 145/2, 146, 147, 148, 149, 150, 151/1, 152, 153/1, 153/2, 154/1, 154/2, 155/1, 155/2, 155/3, 156/1, 156/2, 156/3, 156/4, 157/1, 157/2, 157/3, 157/4, 157/5, 158/2, 158/3, 158/4, 158/12, 158/14, 158/15, 158/1 (भाग), 159/1, 159/2, 159/3, 160/1, 160/2, 160/3, 160/4, 160/5, 161/1, 161/2, 161/3, 162, 163/1, 163/2, 164 (भाग), 165, 166 (भाग), 167/1, 167/2, 167/4, 168, 169 (भाग), 170, 171/1, 171/2, 171/3, 171/4, 172/1, 172/2, 172/3, 172/4, 173, 174 (भाग), 175/2, 175/1 (भाग), 176, 177 (भाग), 179 (भाग), 183/3, 183/6, 183/7, 183/11, 183/1 (भाग), 184/1, 184/2, 184/3, 184/4, 184/5, 184/6, 184/7, 185/1, 185/2, 185/3, 185/4, 186/1, 186/2, 187/1, 187/2, 188/1, 188/2, 188/3, 188/4, 188/5, 189/1, 189/2, 189/3, 190, 191/9, 191/16, 191/1 (भाग), 250/1, 250/2, 250/3, 250/4, 250/5, 250/6, 250/7, 250/8, 250/9.

5. ग्राम घाटबर्षा (भाग) में अर्जित किये जाने वाले प्लॉट संख्याक:

1/2 (भाग), 1/10, 1/19 (भाग), 1/20, 1/21, 1/22, 2/1, 2/2, 3/1 (भाग), 3/2 (भाग), 3/3 (भाग), 3/4 (भाग), 3/5 (भाग), 4/1, 4/2, 4/3 (भाग), 4/4 (भाग), 39 (भाग), 40 (भाग), 820/1(भाग).

6. ग्राम फतेहपुर (भाग) में अर्जित किये जाने वाले प्लॉट संख्याक:

2, 3/1, 3/2, 3/3, 3/4, 3/5, 3/7, 3/8, 3/9, 3/10, 3/11, 3/12, 3/13, 3/16, 3/21, 3/23, 3/24, 3/25, 3/78/371, 3/78/372, 3/6 (क), 3/6 (ख), 4/1, 4/2, 5, 6/1, 6/2, 6/3, 6/4, 6/5, 7/1, 7/2, 7/3, 8, 9, 10, 11, 12, 13/1, 13/2, 14, 15, 16, 17/1, 17/2, 18, 19/1, 19/2, 20/1, 20/2, 20/3, 21, 22, 23/1, 23/2, 23/3, 23/4, 23/5, 24, 25/1, 25/2, 25/3, 26, 27, 28, 29, 30, 31, 32, 33, 34/1, 34/2, 35/1, 35/2, 36/1, 36/2, 37, 38, 39, 40, 41, 42, 43, 44, 45/1, 45/2, 45/358, 46, 47/1, 47/2, 48/1, 48/2, 49, 50, 51/1, 51/2, 51/3, 51/4, 51/5, 52/1, 52/2, 53, 54, 55, 56, 57, 58, 59, 60/1, 60/2, 60/359, 61, 62, 63/1, 63/2, 63/3, 63/4, 63/5, 63/6, 64, 65, 66, 67, 68/1, 68/2, 69/1, 69/2, 69/3, 69/4, 70, 71/1, 71/2, 72/1, 72/2, 73/1, 73/2, 74, 75/1, 75/2, 75/3, 75/4, 75/5, 75/6, 75/7, 76, 77/1, 77/2, 77/3, 77/4, 78/1, 78/2, 78/3, 78/4, 78/5, 78/6, 79, 81, 82, 83, 84, 85/1, 85/2, 86/1, 86/2, 86/3, 86/4, 86/360/3, 86/360/1, 86/360/2, 87, 88, 89/1, 89/2, 89/3, 89/4, 90/1, 90/2, 91/1, 91/2, 91/3, 91/4, 91/5, 91/6, 92, 93, 94, 95/361, 95, 96, 97/364, 97, 98/1, 98/2, 98/3, 99/1, 99/2, 99/3, 99/4, 99/5, 99/6, 99/7, 99/8, 99/9, 100, 101, 102, 103, 104/1, 104/2, 104/3, 104/4, 104/5, 104/6, 104/7, 105, 106/1, 106/2, 107, 108/1, 108/2, 109, 110, 111/1, 111/2, 111/3, 112, 113, 114, 115, 116, 117/1, 117/2, 117/3, 118/1, 118/2, 118/3, 118/4, 118/5, 119, 120, 121, 122, 123/1, 123/2, 123/3, 124, 125/1, 125/2, 125/3, 125/4, 125/5, 125/6, 125/7, 125/8, 125/9, 125/10, 126, 127, 128, 129/1, 129/2, 130, 131, 132/1, 132/2, 133/1, 133/2, 134/1, 134/2, 135, 136/1, 136/2, 136/3, 136/4, 137/1, 137/2, 137/3, 137/4, 138, 139, 140, 141, 142, 143/1, 143/2, 144, 145, 146, 147, 148, 149, 150, 151, 152/363, 152, 153/365, 153, 154, 155, 156, 157, 158, 159/1, 159/2, 160/1, 160/2, 161/1, 161/2, 162/1, 162/2, 163/1, 163/2, 164/1, 164/2, 165/1, 165/2, 165/366, 166/1, 166/2, 166/3, 167/1, 167/2, 167/3, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177/1, 177/2, 177/3, 177/4, 177/5, 178, 179, 180, 181, 182/1, 182/2, 182/3, 183, 184, 185, 186, 187/1, 187/2, 188, 189, 190/1, 190/2, 191/1, 191/2, 191/362, 192/1, 192/2, 192/3, 192/4, 192/5, 192/6, 193, 194, 195, 196, 197, 198, 199, 200/1, 200/2, 201/1, 201/2, 202, 203, 204, 205, 206/1, 206/2, 207, 208, 209, 210, 211, 212, 213/1, 213/2, 214, 215, 216, 217, 218, 219/1, 219/2, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230/1, 230/2, 230/3, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244/1, 244/2, 244/3, 245, 246, 247, 248, 249, 250/1, 250/2, 250/3, 250/4, 250/5, 250/6, 251, 252, 253, 254/1, 254/2, 254/3, 254/4, 254/5, 255, 256, 257/1, 257/2, 258, 259/1, 259/2, 259/3, 259/4, 259/5, 259/6, 259/7, 259/8, 259/9, 259/10, 260, 261, 262, 263, 264(भाग), 265(भाग), 270/1, 270/2, 270/3(भाग), 270/4, 271/1(भाग), 271/2, 277(भाग), 278/2, 278/3, 278/7, 278/1(भाग), 278/4 (भाग), 278/5 (भाग), 278/6 (भाग), 279, 280/2, 280/3, 280/4, 280/5, 280/6, 280/7, 280/8, 280/9, 280/10, 280/11, 280/1(भाग), 288, 303/1(भाग), 304 (भाग), 305, 306, 307/1(भाग), 307/2, 307/3(भाग), 308, 309, 310, 311, 312, 313/1(भाग), 314(भाग), 315/1, 315/2, 315/3, 315/4, 315/5, 315/6, 316.

आरक्षित और संरक्षित वन भूमि का विवरण :

1982(भाग), 1981(भाग), पी-1986(भाग), पी-1997(भाग), पी-2006, पी-2005(भाग), पी-1998 (भाग).

सीमा वर्णन:

- ज-क रेखा, बिन्दु 'ज' ग्राम जनादरनपुर से आरंभ होते हुए और दक्षिणी सीमा वन कम्पार्टमेंट पी1997 से होते हुए ग्राम जनादरनपुर के प्लॉट संख्या 457, 454, 465 इत्यादि तथा ग्राम साल्ही के प्लॉट संख्या 502, 503, 524, 529, 687 इत्यादि होती हुई साल्ही ग्राम के मध्य में बिंदु 'क' पर मिलती है।
- क-ख रेखा, बिन्दु 'क' ग्राम साल्ही से आरंभ होते हुए ग्राम साल्ही के प्लॉट संख्या 710, 711 इत्यादि तथा ग्राम हरिहरपुर मध्य के प्लॉट संख्या 164, 166, 176, इत्यादि और पश्चिमी सीमा वन कम्पार्टमेंट पी2005 और ग्राम घाटबर्सा के प्लॉट संख्या 3, 4 इत्यादि होती हुई पश्चिमी सीमा वन कम्पार्टमेंट पी1998 तथा घाटबर्सा ग्राम के पश्चिमी सीमा के निकट बिंदु 'ख' पर मिलती है।
- ख-ग रेखा, बिन्दु 'ख' ग्राम घाटबर्सा से आरंभ होती है और ग्राम फतेहपुर के प्लॉट संख्या 314, 264, 277 इत्यादि होती हुई उत्तरी पूर्वी सीमा वन कम्पार्टमेंट 1981 और ग्राम तारा के पूर्वी सीमा के निकट बिन्दु 'ग' पर मिलती है।

ग-घ-ङ-च-छ-ज

रेखा, बिन्दु 'ग' ग्राम तारा से आरंभ होती है और तारा ग्राम के प्लॉट संख्या 783, 794, इत्यादि से होती हुई ग्राम तारा के उत्तरी पूर्वी सीमा के निकट बिन्दु 'घ' पर मिलती है। रेखा बिन्दु 'घ' ग्राम तारा से आरंभ होती है और वन कम्पार्टमेंट पी1986 से होती हुए तारा ग्राम के प्लॉट संख्या 659 होती हुई पूर्वोत्तर सीमा के निकट बिन्दु 'ङ' पर मिलती है, रेखा बिन्दु 'ङ' ग्राम तारा से आरंभ होती है और वन कम्पार्टमेंट पी 1986 से होती हुई तारा ग्राम के प्लॉट संख्या 605 होती हुई जनार्दनपुर ग्राम के दक्षिणी सीमा के निकट बिन्दु 'च' पर मिलती है, रेखा बिन्दु 'च' जनार्दनपुर ग्राम से आरंभ होती है और वन कम्पार्टमेंट 1982 से होती हुई जनार्दनपुर ग्राम के दक्षिण पूर्वी सीमा के निकट बिन्दु 'छ' से मिलती है और रेखा बिन्दु 'छ' ग्राम जनार्दनपुर से आरंभ होती है और वन कम्पार्टमेंट 1982 से होती हुई जनार्दनपुर ग्राम प्लॉट संख्या 410, 408 इत्यादि से होती हुए वन कम्पार्टमेंट पी1997 से होती हुई जनार्दनपुर ग्राम के मध्य में बिन्दु 'ज' से मिलती है ।

[फा.सं. 43015/28/2017—एलए एण्ड आई आर]

आर.एस.सरोज, अवर सचिव

New Delhi, the 15th November, 2017

S.O. 2622.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 2208(E), dated the 12th July, 2017 issued under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), and published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), dated the 13th July, 2017, the Central Government gave notice of its intention to prospect for coal in 1252.447 hectares (approximately) or 3094.79 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification ;

And whereas, the Central Government is satisfied that coal is obtainable in a part of the said lands prescribed in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the land measuring 1252.447 hectares (approximately) or 3094.79 acres (approximately) and all rights in or over the said lands described in the Schedule appended hereto:

Note 1: The plan bearing number RVUN/PCB/CBA/7/1, dated the 21st July, 2017 of the area covered by this notification may be inspected in the office of the District Collectors, District Surajpur and Surguja (Chhattisgarh) or in the office of the Coal Controller, 1, Council House Street, Kolkata - 700001 or in the office of the Additional Chief Engineer – Fuel or Deputy Chief Engineer-Fuel or Deputy Chief Engineer-Coal, Rajasthan Rajya Vidyut Utpadan Nigam Limited, Regd. Office and Head Office, Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur (Rajasthan) – 302005.

Note 2 : Attention is hereby invited to the provisions of section 8 of the said Act which provides as follows:-

Objection to acquisition:

“ 8. (1) Any person interested in any land in respect of which a notification under section 7 has been issued, may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or any rights in or over such land.

Explanation.- It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operation in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of the Government.

(3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act”.

Note 3: The Coal Controller, 1, Council House Street, Kolkata - 700001 has been appointed by the Central Government as the competent authority under section 3 of the said Act, vide notification number S.O. 1290 (E), dated the 24th April, 2017 published in the Gazette of India, part II, section 3, sub-section (ii), dated the 25th April, 2017.

SCHEDULE**Parsa Coal Block****Districts Surguja and Surajpur (Chhattisgarh)****(Plan bearing number RVUN/PCB/CBA/7/1, dated the 21st July, 2017)****All Rights:****(A) Details of Revenue Land:**

Sl. No.	Name of the Village	Village number	Patwari Circle/ Halka number	Tahsil	District	Area in hectares	Remarks
1	Tara	29	17	Premnagar	Surajpur	94.490	Part
2	Janardanpur	30	11	Premnagar		67.666	Part
					Total:	162.156	
3	Fatehpur	66	17	Udaipur	Surguja	196.555	Part
4	Ghatbarra	67	17	Udaipu		8.985	Part
5	Hariharpur	65	16	Udaipur		147.828	Part
6	Salhi	64	16	Udaipur		180.919	Part
					Total:	534.287	
Grand Total:						696.443	
(A) Total revenue land : 696.443 hectares (approximately) or 1720.91 acres (approximately)							

(B) Details of Protected and Reserved Forest Land :

Sl. No.	Type of Forest	Forest Circle	Forest Division and District	Range/ Tahsil	Compart-ment no.	Area in hectares	Remarks
1	Reserved Forest	Surguja Circle, Ambikapur	Surajpur	Ramanujnagar/ Premnagar	1982	124.748	Part
2	Reserved Forest			Ramanujnagar/ Premnagar	1981	12.483	Part
3	Protected Forest			Ramanujnagar/ Premnagar	P-1986	37.209	Part
4	Protected Forest			Ramanujnagar/ Premnagar	P-1997	11.109	Part
					Total:	185.549	
5	Protected Forest	Surguja Circle, Ambikapur	Surguja	Udaipur	P-2006	298.496	Full
6	Protected Forest			Udaipur	P-2005	50.63	Part
7	Protected Forest			Udaipur	P-1998	21.329	Part
					Total:	370.455	
Grand Total:					556.004		
Total Protected and Reserved Forest Land : 556.004 hectares (approximately) or 1373.88 acres(approximately)							

Grand Total (A+B) = 1252.447 hectares (approximately) (696.443 + 556.004)
or 3094.79 acres (approximately) (1720.91 + 1373.88)

Plot details of Revenue Land:

1- Plot numbers to be acquired in village Tara (Part):

605 (P), 606/1, 606/2, 606/3, 607, 608, 609, 610, 611, 612, 613/1, 613/2, 613/3, 614, 615, 616, 617, 618, 619, 620, 621, 622 (P), 623, 624/1, 624/2, 624/3, 624/4, 624/5, 624/6, 624/7, 658, 659 (P), 770(P), 771, 772/1, 772/2, 773, 774, 775, 776, 777, 778, 779, 780, 781/1 (P), 781/2 (P), 783/871, 783 (P), 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794 (P), 795, 796, 797, 798, 799, 800, 801, 802/1, 802/2, 802/3, 802/4, 802/5, 802/6, 802/7, 802/8, 803, 804, 805/1, 805/2, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827/1, 827/2, 828, 829, 830, 831, 832, 833, 834/1, 834/2, 834/3, 834/4, 834/5, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844/1, 844/2, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863/1, 863/2, 864, 865/1, 865/2, 865/3, 865/4, 865/5, 865/6, 865/7, 865/8, 865/9, 865/10, 865/11, 865/12, 865/13, 865/14, 865/15, 866, 867, 868, 894, 895 (P).

2- Plot numbers to be acquired in village Janardanpur (Part):

408, 409, 410, 411, 412, 413, 414/1, 414/2, 414/3, 414/4, 414/5, 414/6, 414/7, 414/8, 414/9, 414/10, 414/11, 415/1, 415/2, 415/3, 415/4, 415/5, 415/6, 416, 417/1, 417/2, 417/3, 417/4, 418, 419/1, 419/2, 420, 421/1, 421/2, 421/3, 422 (P), 423, 424 (P), 426, 427, 428, 429/1, 429/2, 429/3, 430, 431, 432, 433, 434 (P), 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454 (P), 455, 456/1, 456/2, 457 (P), 458 (P), 465 (P), 466/1 (P), 466/2 (P), 467, 468, 469, 470, 471/1, 471/2, 471/3, 471/4, 471/5, 471/6, 471/7, 471/8, 471/9, 471/10, 471/11, 471/12, 471/13, 471/14, 471/15, 471/16, 471/17, 471/18, 471/19, 471/20, 471/21, 471/22, 471/23, 471/24, 471/25, 471/26, 472, 473, 474, 475 (P), 476.

3- Plot numbers to be acquired in village Salhi (Part):

295(P), 368 (P), 373/1 (P), 373/2 (P), 501/775, 502/3 (P), 503/4 , 503/2 (P), 503/5 (P), 504/1, 504/2, 504/3, 505/1, 505/2, 505/3, 506, 507, 508, 509, 510, 511/1 (P), 511/3, 511/4 (P), 515/734 (P), 523 (P), 524 (P), 525 (P), 526, 527, 528/1, 528/2, 529/1, 529/2, 529/3 (P), 529/4 (P), 530, 531/1, 531/2, 532, 533, 534, 535, 536(P), 537, 538, 539, 540/1, 540/2, 540/3, 541, 542/1, 542/2, 542/3, 543/1, 543/2, 543/3, 543/4, 543/5, 543/6, 543/7, 544/1, 544/2, 544/3, 544/4, 544/5, 544/6, 544/7, 544/9, 544/10, 544/11, 544/12, 544/13, 544/14, 544/15, 544/773/4, 544/773/5, 544/773/2, 544/773/3, 544/773/1(P), 544/8(GA), 544/8(GHA), 544/8(KA), 544/8(KHA), 545/776, 545, 546/1, 546/2, 546/3, 546/4, 546/5, 546/6, 546/7, 546/8, 546/774/3, 546/774/2, 546/774/1, 547, 548/1, 548/2, 549, 550, 551, 552, 553/1, 553/2, 553/3, 553/4, 553/5, 553/6, 553/7, 554/1, 554/2, 555, 556/1, 556/2, 556/3, 556/4, 556/5, 556/6, 556/7, 556/8, 556/9, 556/10, 556/11, 556/12, 556/13, 556/14, 557/1, 557/2, 558/1, 558/2, 559/1, 559/2, 560/1, 560/2, 561/1, 561/2, 561/3, 562, 563/1, 563/2, 563/3, 563/4, 564/1, 564/2, 564/3, 564/4, 564/5, 564/6, 564/7, 564/8, 564/9, 564/770, 564/771, 565, 566, 567, 568/1, 568/2, 568/3, 568/4, 569/1, 569/2, 569/3, 569/4, 570/1, 570/2, 570/3, 570/4, 571/1, 571/2, 572/1, 572/2, 572/3, 572/4, 573/1, 573/2 , 573/3, 573/4, 574/1, 574/2, 575, 576/1, 576/2, 576/3, 577, 578/1, 578/2, 578/3, 579, 580/1, 580/2, 581, 582, 583/1, 583/2, 583/3, 583/4, 584, 585, 586, 587/1, 587/2, 587/3, 588/1, 588/2, 588/3, 588/4, 589, 590, 591/1, 591/2, 591/3, 591/4, 592/1, 592/2, 592/3, 592/4, 592/5, 592/6, 592/7, 592/8, 593, 594/1, 594/2, 594/3, 594/4, 595/1, 595/2, 596/1, 596/2, 596/3, 596/4, 597/1, 597/2, 597/3, 598/1, 598/2, 599/1, 599/2, 599/3, 599/4, 599/5, 600, 601/2, 601/3, 601/4, 601/5, 601/6, 601/7, 601/815, 602, 603/1, 603/2, 603/3, 603/4, 603/5, 603/6, 603/7, 603/8, 603/9, 603/10, 603/11, 603/12, 603/13, 603/14, 603/15, 603/16, 603/17, 603/18, 604/1, 604/2, 604/3, 605, 606/1, 606/2, 606/3, 607, 608/1, 608/2, 608/3, 608/4, 609, 610/1, 610/2, 611/1, 611/2, 611/3, 611/4, 612/1, 612/2, 612/3, 612/4, 612/5, 612/6, 613/1, 613/2, 613/3, 613/4, 614/1, 614/2, 614/3, 614/4, 614/5, 615/1, 615/2, 615/3, 615/797/1, 615/797/2, 616, 617/1, 617/2, 617/801, 618/1, 618/2, 618/802, 619/1, 619/2, 619/3, 620/1, 620/2, 620/3, 620/4, 620/5, 620/798, 620/799, 620/800, 621, 622, 623, 624, 625, 626, 627, 628/1, 628/2, 628/3, 629/1, 629/2, 629/3, 630, 631/1, 631/2, 631/3, 632, 633, 634, 635, 636, 637, 638/1, 638/2, 638/3, 639, 640, 641, 642, 643 (P), 647 (P), 648, 649/760 , 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661(P), 668(P), 681/767/1(P), 682 (P), 687/1, 687/2, 687/4, 687/5, 687/6, 687/8, 687/9, 687/10, 687/3 (P), 688, 689, 690, 691, 692, 693, 694/1, 694/2, 694/3, 694/4, 694/5, 694/6, 695/1, 695/2, 695/3, 695/4, 695/5, 695/6, 696/1, 696/2, 696/3, 696/4, 696/5, 696/6, 697/1, 697/2, 697/3, 710/2, 710/3, 710/4, 710/5, 710/6, 710/7, 710/8, 710/9, 711 (P), 712, 713/1, 713/2, 713/3, 713/4, 714/1, 714/2, 714/3, 715, 716, 717, 718, 719, 720, 721, 722, 723/1, 723/2, 724/1, 724/2, 724/3, 725, 726/2, 726/3, 726/4, 726/5, 726/6, 726/7, 726/8, 726/9, 726/10, 726/11, 726/12, 726/13, 726/14, 726/15, 726/16, 726/17, 726/18, 726/1(P), 727/4, 727/1(P), 727/3 (P), 789.

4- Plot numbers to be acquired in village Hariharpur (Part):

1/2, 1/3, 1/4, 1/5, 2, 3/1, 3/2, 4/1, 4/2, 4/3, 5, 6, 7, 8, 9, 10, 11, 12/2, 12/3, 12/4, 12/5, 12/6, 12/7, 12/8, 12/9, 12/10, 12/11, 12/12, 12/13, 12/14, 12/15, 12/16, 12/17, 12/18, 12/19, 12/20, 12/21, 12/22, 12/23, 12/24, 12/25, 12/26, 12/27, 12/28, 12/29, 12/30, 12/31, 12/32, 12/33, 12/34, 12/35, 12/1 (P), 13/1, 13/2, 13/3, 13/4, 13/5, 13/248, 13/249, 13/250, 13/251, 13/252, 14/1, 14/2, 15/1, 15/2, 15/3, 15/4, 15/5, 16/1, 16/2, 16/3, 16/4, 16/5, 16/6, 16/7, 16/8, 17, 18/1, 18/2, 19/1, 19/2, 19/3, 19/4, 20/1, 20/2, 20/3, 20/4, 21/1, 21/2, 21/3, 21/4, 22/1, 22/2,

22/3, 22/4, 23/1, 23/2, 23/3, 24, 25/1, 25/2, 25/3, 26/1, 26/2, 26/3, 26/4, 26/5, 26/6, 27/1, 27/2, 27/3, 28/1, 28/2, 28/3, 29/1, 29/2, 29/3, 29/4, 30/1, 30/2, 30/3, 30/4, 30/5, 31/1, 31/2, 31/3, 31/4, 31/5, 31/6, 32, 33/1, 33/2, 34, 35/1, 35/2, 35/3, 35/4, 35/5, 35/6, 35/7, 35/8, 35/9, 35/249, 35/250, 36, 37, 38, 39/1, 39/2, 40/1, 40/2, 40/3, 41, 42/1, 42/2, 42/3, 42/4, 43/1, 44/1, 44/2, 44/3, 44/4, 44/5, 45, 46, 47, 48/1, 48/2, 48/3, 48/4, 48/5, 49/1, 49/2, 49/3, 49/4, 49/5, 49/6, 49/7, 49/8, 49/9, 49/10, 49/11, 49/12, 49/13, 50/1, 50/2, 50/3, 50/4, 51/1, 51/2, 51/3, 51/4, 51/5, 51/6, 51/7, 51/8, 51/9, 52/1, 52/2, 52/3, 52/4, 52/5, 52/6, 52/7, 52/250/1, 52/250/3, 52/250/2, 53/1, 53/2, 53/3, 53/4, 53/5, 53/6, 53/7, 53/8, 53/9, 54/1, 54/2, 55/1, 55/2, 55/3, 55/4, 55/5, 55/6, 55/7, 55/8, 56/1, 56/2, 56/3, 56/4, 57, 58/1, 58/2, 58/3, 59/1, 59/2, 60/1, 60/2, 61/1, 61/2, 62/1, 62/2, 63/1, 63/2, 64/1, 64/2, 65, 66, 67/1, 67/2, 67/3, 67/4, 67/5, 68/1, 68/2, 68/3, 68/4, 68/5, 68/6, 68/7, 68/8, 68/9, 69, 70/1, 70/2, 70/3, 70/4, 70/5, 70/6, 70/7, 70/8, 70/9, 70/10, 70/11, 70/12, 70/13, 70/14, 70/15, 70/16, 70/17, 70/18, 70/19, 70/20, 70/21, 70/22, 70/23, 70/24, 71/1, 71/2, 71/3, 71/4, 71/5, 71/6, 71/7, 72/1, 72/2, 72/3, 73/1, 73/2, 73/3, 73/4, 73/5, 74, 75/1, 75/2, 75/251, 75/252, 76, 77, 78, 79/1, 79/2, 79/3, 80/1, 80/2, 80/3, 80/4, 80/5, 80/6, 80/7, 80/8, 80/9, 81/1, 81/2, 81/3, 82/1, 82/2, 82/3, 82/4, 82/5, 83/1, 83/2, 83/3, 84/1, 84/2, 85/1, 85/2, 85/3, 86/1, 86/2, 87/1, 87/2, 88/1, 88/2, 89/1, 89/2, 90/1, 90/2, 90/3, 90/4, 90/5, 90/6, 90/7, 90/8, 90/9, 91/1, 91/2, 92/1, 92/2, 92/3, 92/4, 92/5, 92/6, 92/7, 92/8, 92/9, 93/1, 93/2, 93/3, 94/1, 94/2, 94/3, 95, 96/1, 96/2, 96/3, 96/4, 96/5, 97, 98/1, 98/2, 98/3, 98/4, 98/5, 99/1, 99/2, 99/3, 99/4, 100/1, 100/2, 100/3, 100/4, 100/5, 100/6, 101/1, 101/2, 101/3, 102/1, 102/2, 103/1, 103/2, 104/1, 104/2, 105, 106/1, 106/2, 107/1, 107/2, 107/3, 107/4, 108, 109, 110, 111/1, 111/2, 111/3, 111/4, 112/1, 112/2, 112/3, 112/4, 113, 114, 115/1, 115/2, 116/1, 116/2, 116/3, 117/1, 117/2, 118/1, 118/2, 119/1, 119/2, 119/3, 119/4, 120/1, 120/2, 121/1, 121/2, 122/1, 122/2, 123, 124, 125, 126, 127, 128, 129/1, 129/2, 130/1, 130/2, 131/1, 131/2, 132/1, 132/2, 133/1, 133/2, 133/3, 133/4, 134, 135/1, 135/2, 136, 137/1, 137/2, 138, 139/1, 139/2, 140, 141, 142/1, 142/2, 142/3, 143, 144, 145/1, 145/2, 146, 147, 148, 149, 150, 151/1, 152, 153/1, 153/2, 154/1, 154/2, 155/1, 155/2, 155/3, 156/1, 156/2, 156/3, 156/4, 157/1, 157/2, 157/3, 157/4, 157/5, 158/2, 158/3, 158/4, 158/12, 158/14, 158/15, 158/1 (P), 159/1, 159/2, 159/3, 160/1, 160/2, 160/3, 160/4, 160/5, 161/1, 161/2, 161/3, 162, 163/1, 163/2, 164 (P), 165, 166 (P), 167/1, 167/2, 167/4, 168, 169 (P), 170, 171/1, 171/2, 171/3, 171/4, 172/1, 172/2, 172/3, 172/4, 173, 174 (P), 175/2, 175/1 (P), 176, 177 (P), 179 (P), 183/3, 183/6, 183/7, 183/11, 183/1 (P), 184/1, 184/2, 184/3, 184/4, 184/5, 184/6, 184/7, 185/1, 185/2, 185/3, 185/4, 186/1, 186/2, 187/1, 187/2, 188/1, 188/2, 188/3, 188/4, 188/5, 189/1, 189/2, 189/3, 190, 191/9, 191/16, 191/1 (P), 250/1, 250/2, 250/3, 250/4, 250/5, 250/6, 250/7, 250/8, 250/9.

5- Plot numbers to be acquired in village Ghatbara (Part):

1/2 (P), 1/10, 1/19 (P), 1/20, 1/21, 1/22, 2/1, 2/2, 3/1 (P), 3/2 (P), 3/3 (P), 3/4 (P), 3/5 (P), 4/1, 4/2, 4/3 (P), 4/4 (P), 39 (P), 40 (P), 820/1 (P).

6- Plot numbers to be acquired in village Fatehpur (Part):

2, 3/1, 3/2, 3/3, 3/4, 3/5, 3/7, 3/8, 3/9, 3/10, 3/11, 3/12, 3/13, 3/16, 3/21, 3/23, 3/24, 3/25, 3/78/371, 3/78/372, 3/6 KA, 3/6 KH, 4/1, 4/2, 5, 6/1, 6/2, 6/3, 6/4, 6/5, 7/1, 7/2, 7/3, 8, 9, 10, 11, 12, 13/1, 13/2, 14, 15, 16, 17/1, 17/2, 18, 19/1, 19/2, 20/1, 20/2, 20/3, 21, 22, 23/1, 23/2, 23/3, 23/4, 23/5, 24, 25/1, 25/2, 25/3, 26, 27, 28, 29, 30, 31, 32, 33, 34/1, 34/2, 35/1, 35/2, 36/1, 36/2, 37, 38, 39, 40, 41, 42, 43, 44, 45/1, 45/2, 45/358, 46, 47/1, 47/2, 48/1, 48/2, 49, 50, 51/1, 51/2, 51/3, 51/4, 51/5, 52/1, 52/2, 53, 54, 55, 56, 57, 58, 59, 60/1, 60/2, 60/359, 61, 62, 63/1, 63/2, 63/3, 63/4, 63/5, 63/6, 64, 65, 66, 67, 68/1, 68/2, 69/1, 69/2, 69/3, 69/4, 70, 71/1, 71/2, 72/1, 72/2, 73/1, 73/2, 74, 75/1, 75/2, 75/3, 75/4, 75/5, 75/6, 75/7, 76, 77/1, 77/2, 77/3, 77/4, 78/1, 78/2, 78/3, 78/4, 78/5, 78/6, 79, 81, 82, 83, 84, 85/1, 85/2, 86/1, 86/2, 86/3, 86/4, 86/360/3, 86/360/1, 86/360/2, 87, 88, 89/1, 89/2, 89/3, 89/4, 90/1, 90/2, 91/1, 91/2, 91/3, 91/4, 91/5, 91/6, 92, 93, 94, 95/361, 95, 96, 97/364, 97, 98/1, 98/2, 98/3, 99/1, 99/2, 99/3, 99/4, 99/5, 99/6, 99/7, 99/8, 99/9, 100, 101, 102, 103, 104/1, 104/2, 104/3, 104/4, 104/5, 104/6, 104/7, 105, 106/1, 106/2, 107, 108/1, 108/2, 109, 110, 111/1, 111/2, 111/3, 112, 113, 114, 115, 116, 117/1, 117/2, 117/3, 118/1, 118/2, 118/3, 118/4, 118/5, 119, 120, 121, 122, 123/1, 123/2, 123/3, 124, 125/1, 125/2, 125/3, 125/4, 125/5, 125/6, 125/7, 125/8, 125/9, 125/10, 126, 127, 128, 129/1, 129/2, 130, 131, 132/1, 132/2, 133/1, 133/2, 134/1, 134/2, 135, 136/1, 136/2, 136/3, 136/4, 137/1, 137/2, 137/3, 137/4, 138, 139, 140, 141, 142, 143/1, 143/2, 144, 145, 146, 147, 148, 149, 150, 151, 152/363, 152, 153/365, 153, 154, 155, 156, 157, 158, 159/1, 159/2, 160/1, 160/2, 161/1, 161/2, 162/1, 162/2, 163/1, 163/2, 164/1, 164/2, 165/1, 165/2, 165/366, 166/1, 166/2, 166/3, 167/1, 167/2, 167/3, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177/1, 177/2, 177/3, 177/4, 177/5, 178, 179, 180, 181, 182/1, 182/2, 182/3, 183, 184, 185, 186, 187/1, 187/2, 188, 189, 190/1, 190/2, 191/1, 191/2, 191/362, 192/1, 192/2, 192/3, 192/4, 192/5, 192/6, 193, 194, 195, 196, 197, 198, 199, 200/1, 200/2, 201/1, 201/2, 202, 203, 204, 205, 206/1, 206/2, 207, 208, 209, 210, 211, 212, 213/1, 213/2, 214, 215, 216, 217, 218, 219/1, 219/2, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230/1, 230/2, 230/3, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244/1, 244/2, 244/3, 245, 246, 247, 248, 249, 250/1, 250/2, 250/3, 250/4, 250/5, 250/6, 251, 252, 253, 254/1, 254/2, 254/3, 254/4, 254/5, 255, 256, 257/1, 257/2, 258, 259/1, 259/2, 259/3, 259/4, 259/5, 259/6, 259/7, 259/8, 259/9, 259/10, 260, 261, 262, 263, 264(P), 265(P), 270/1, 270/2, 270/3(P), 270/4, 271/1(P), 271/2, 277(P), 278/2, 278/3, 278/7, 278/1(P), 278/4 (P), 278/5 (P), 278/6 (P), 279, 280/2, 280/3, 280/4, 280/5, 280/6, 280/7, 280/8, 280/9, 280/10, 280/11, 280/1(P), 288, 303/1(P),

304(p), 305, 306, 307/1(P), 307/2, 307/3(P), 308, 309, 310, 311, 312, 313/1(P), 314(P), 315/1, 315/2, 315/3, 315/4, 315/5, 315/6, 316.

Plot details of Protected and Reserved Forest Land :

1982 (Part), 1981 (Part), P-1986 (Part), P-1997 (Part), P-2006 , P-2005 (Part), P-1998 (Part).

Boundary Description:

- H-A : Line starts from point 'H' in Janardanpur village & passes through southern boundary of forest compartment number P1997 and plot numbers, 457, 454, 465 etc. and also passes through plot numbers 502, 503, 524, 529, 687 etc. of village Salhi and meets at point 'A' in the middle of the Salhi village.
- A-B: Line starts from point 'A' of village Salhi and passes through plot numbers 710, 711 & also passes through plot nos. 164, 166, 176 etc. middle of the Hariharpur village and also passes through western boundary of forest compartment P2005 and plot nos. 3, 4 etc. of village Ghatbara and western boundary of forest compartment P1998 and meets at point 'B' near the western boundary of Ghatbara village.
- B-C: Line starts from point 'B' of village Ghatbarra and passes through plot numbers 314, 264, 277 etc of village Fatehpur and passes through North East boundary of forest compartment 1981 and meets at point 'C' near the eastern boundary of Tara village.
- C-D-E-F-G-H: Line starts from point 'C' of village Tara and passes through plot numbers 783, 794 etc. meets at point 'D' near the north eastern boundary of Tara village. And Line starts from point 'D' of Tara village and passes through forest compartment P1986 and plot number 659 of Tara village and meets at point 'E' near the north eastern boundary of Tara village. And line starts from point 'E' of Tara village and passes through forest compartment P1986 and plot number 605 of Tara village and meets at point 'F' near the southern boundary of Janardanpur village. And line starts from point 'F' of Janardanpur village and passes through forest compartment 1982 and meets at point 'G' near the south eastern boundary of Janardanpur village. And line starts from at point 'G' of Janardanpur village and passes through forest compartment 1982 and plot numbers 410, 408 and passes through forest compartment P 1997 and meets at point 'H' in the middle of Janardanpur village.

[F. No. 43015/28/2017-LA&IR]

R. S. SAROJ, Under Secy.

अंतरिक्ष विभाग

बेंगलूर, 4 अक्टूबर, 2017

का.आ. 2623.—संविधान के अनुच्छेद 309 के परंतुक द्वारा दी गई शक्तियों का प्रयोग करते हुए, राष्ट्रपति विभाग के अंतरिक्ष कर्मचारी (वर्गीकरण, नियंत्रण एवं अपील) नियम, 1976 को पुनः संशोधित करने हेतु निम्नलिखित नियम बनाते हैं:-

- 1) ये नियम अंतरिक्ष विभाग के कर्मचारी (वर्गीकरण, नियंत्रण एवं अपील) संशोधन नियम, 2017 कहलायेंगे।
- 2) ये सरकार के राजपत्र में प्रकाशन की तिथि से लागू होंगे।

2. अंतरिक्ष विभाग के कर्मचारी (वर्गीकरण, नियंत्रण एवं अपील) नियम, 1976 में दी गई मौजूदा अनुसूची में, जहां सतीश धवन अंतरिक्ष केंद्र (एस.डी.एस.सी.-शार), श्रीहरिकोटा के अंतर्गत प्रधान, कार्मिक एवं सामान्य प्रशासन का पदनाम मौजूद है, वह "व. प्रधान, कार्मिक एवं सामान्य प्रशासन/प्रधान, कार्मिक एवं सामान्य प्रशासन" से प्रतिस्थापित किया जाएगा।

[सं. ई.14015/1/2012-IV]

एस. कुमारस्वामी, संयुक्त सचिव

नोट: मुख्य नियम भारत सरकार के दि. 01.04.1976 के राजपत्र (असाधारण) भाग II, खण्ड-3, उपखंड -(ii) में दिनांक 01.04.1976 की सं. एस.ओ. 270 (अ) द्वारा प्रकाशित किए गए थे और तदनुसार निम्नांकित द्वारा संशोधित किए गए हैं:-

क्रम सं.	अधिसूचना सं.	दिनांक	एस.ओ. सं.	दिनांक
1	2/10(32)/76-I	10.02.1977	780	12.03.1977
2	2/10(32)/76-I	16.05.1977	2127	25.06.1977
3	2/10(27)/76-I	01.08.1977	2709	27.08.1977
4	2/7(5)/77-I	15.02.1978	585	25.02.1978
5	2/7(5)/77-I	27.05.1978	1780	17.06.1978
6	2/9(12)/74-III	16.03.1979	1178	07.04.1979
7	9/4(1)/80-III	26.05.1980	1684	21.06.1980
8	9/4(1)/80-III	05.09.1980	2586	27.09.1980
9	9/4(1)/80-III	13.10.1980	3299	29.11.1980
10	9/4(1)/80-III	13.10.1980	3300	29.11.1980
11	9/4(1)/80-III	20.12.1980	215	17.01.1981
12	2/8(1)/81-I	28.08.1981	2592	03.10.1981
13	2/8(1)/81-I	16.07.1982	3113	04.09.1982
14	2/9(1)/83-I(V)	29.07.1985	4280	14.09.1985
15	2/5(1)/85-V	02.01.1986	510	08.02.1986
16	2/9(1)/83-I(V)	02.01.1986	511	08.02.1986
17	2/5(1)/86-V	17.03.1986	1309	29.03.1986
18	2/5(2)/86-V	20.10.1986	3874	15.11.1986
19	2/5(1)/90-VI	01.01.1991	99	09.02.1991
20	2/5(2)/86-V(VI)(Vol.III)	15.11.1991	334	01.02.1992
21	2/5(1)/91-VI	23.10.1992	2891	21.11.1992
22	2/5(1)/95-V	24.03.1995	1029	15.04.1995
23	2/5(1)/91-V	12.10.1995	2856	28.10.1995
24	2/5(1)/91-V	27.03.1996	1241	20.04.1996
25	2/5(1)/95-V	23.12.1997	83	10.01.1998
26	2/5(1)/98-V	30.06.2000	1763	05.08.2000

27	2/5(1)/98-V	27.12.2000	34	13.01.2001
28	2/5(1)/98-V	24.01.2001	254	10.02.2001
29	2/5(1)/98-V	18.03.2004	804	28.03.2004
30	4/5/1/2004-V	22.06.2005	2489	16.07.2005
31	4/5/1/2004-V	31.01.2006	544	11.02.2006
32	4/5/1/2004-V	20.11.2007	3434	08.12.2007
33	4/5/1/2004-V	01.09.2008	2760	04.10.2008
34	4/5/1/2004-V	21.05.2009	1538 (ई)	23.06.2009
35	E.14015/1/2012-IV	06.03.2013	830 (ई)	26.03.2013

DEPARTMENT OF SPACE

Bangalore, the 4th October, 2017

S.O. 2623.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules further to amend the Department of Space Employees' (Classification, Control and Appeal) Rules, 1976, namely:-

- 1) These rules may be called the Department of Space Employees' (Classification, Control and Appeal) Amendment Rules, 2017.
- 2) They shall come into force on the date of their publication in the Official Gazette.

2. In the existing Schedule appended to the Department of Space Employees' (Classification, Control and Appeal) Rules, 1976, where the designation of Head, Personnel & General Administration exists under Satish Dhawan Space Centre (SDSC-SHAR), Sriharikota, it shall be substituted by "Sr. Head, Personnel & General Administration / Head, Personnel & General Administration".

[No. E.14015/1/2012-IV]

S. KUMARASWAMY, Jt. Secy.

Note : The Principal rules were published vide No.S.O.270(E) dated 01.04.1976 in the Gazette of India (Extraordinary) Part-II, Section-3, Sub-Section(ii) dated 01.04.1976 and have been subsequently amended by:-

Sl. No.	Notification No.	Date	S.O. No.	Date
1	2/10(32)/76-I	10.02.1977	780	12.03.1977
2	2/10(32)/76-I	16.05.1977	2127	25.06.1977
3	2/10(27)/76-I	01.08.1977	2709	27.08.1977
4	2/7(5)/77-I	15.02.1978	585	25.02.1978
5	2/7(5)/77-I	27.05.1978	1780	17.06.1978
6	2/9(12)/74-III	16.03.1979	1178	07.04.1979
7	9/4(1)/80-III	26.05.1980	1684	21.06.1980
8	9/4(1)/80-III	05.09.1980	2586	27.09.1980
9	9/4(1)/80-III	13.10.1980	3299	29.11.1980

10	9/4(1)/80-III	13.10.1980	3300	29.11.1980
11	9/4(1)/80-III	20.12.1980	215	17.01.1981
12	2/8(1)/81-I	28.08.1981	2592	03.10.1981
13	2/8(1)/81-I	16.07.1982	3113	04.09.1982
14	2/9(1)/83-I(V)	29.07.1985	4280	14.09.1985
15	2/5(1)/85-V	02.01.1986	510	08.02.1986
16	2/9(1)/83-I(V)	02.01.1986	511	08.02.1986
17	2/5(1)/86-V	17.03.1986	1309	29.03.1986
18	2/5(2)/86-V	20.10.1986	3874	15.11.1986
19	2/5(1)/90-VI	01.01.1991	99	09.02.1991
20	2/5(2)/86-V(VI)(Vol.III)	15.11.1991	334	01.02.1992
21	2/5(1)/91-VI	23.10.1992	2891	21.11.1992
22	2/5(1)/95-V	24.03.1995	1029	15.04.1995
23	2/5(1)/91-V	12.10.1995	2856	28.10.1995
24	2/5(1)/91-V	27.03.1996	1241	20.04.1996
25	2/5(1)/95-V	23.12.1997	83	10.01.1998
26	2/5(1)/98-V	30.06.2000	1763	05.08.2000
27	2/5(1)/98-V	27.12.2000	34	13.01.2001
28	2/5(1)/98-V	24.01.2001	254	10.02.2001
29	2/5(1)/98-V	18.03.2004	804	28.03.2004
30	4/5/1/2004-V	22.06.2005	2489	16.07.2005
31	4/5/1/2004-V	31.01.2006	544	11.02.2006
32	4/5/1/2004-V	20.11.2007	3434	08.12.2007
33	4/5/1/2004-V	01.09.2008	2760	04.10.2008
34	4/5/1/2004-V	21.05.2009	1538(E)	23.06.2009
35	E.14015/1/2012-IV	06.03.2013	830(E)	26.03.2013

वाणिज्य एवं उद्योग मंत्रालय

(वाणिज्य विभाग)

नई दिल्ली, 13 अक्टूबर, 2017

का.आ. 2624.—केन्द्रीय सरकार, निर्यात (गुणवत्ता नियंत्रण एवं निरीक्षण) नियम, 1964 के नियम 12, के उपनियम (2) के साथ पठित, निर्यात (गुणवत्ता नियंत्रण एवं निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स इन्स्पेक्टोरेटग्रिफिथ इंडिया प्राइवेट लिमिटेड, एचआईजी -34, गौरव बिहार, मधुबन परादीप, ओडिशा - 754142, को उक्त अधिनियम की धारा 7 की उपधारा (1) के प्रयोजन के लिए, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए, वाणिज्य मंत्रालय में भारत सरकार की अधिसूचना के साथ अनुसूची में निर्दिष्ट दिनांक 20 दिसम्बर, 1965 की अधिसूचना सं० का.आ. 3975 तथा दिनांक 20 दिसम्बर, 1965 की अधिसूचना सं० का.आ. 3978 क्रमशः खनिज

और अयस्क (समूह-I), अर्थात्, लौह अयस्क और समूह-II, अर्थात्, क्रोम अयस्क को निर्यात से पूर्व निम्नलिखित शर्तों के अधीन पारादीप पत्तन तथा धामरा पत्तन, में उक्त खनिज और अयस्क के निरीक्षण करने के लिए एक अभिकरण के रूप में मान्यता देती है, अर्थात् :

- (i) के मैसर्स इंस्पेक्टोरेट ग्रीफ़िथ इंडिया प्राइवेट लिमिटेड, एचआईजी -34, गौरव बिहार, मधुबन पारादीप, ओडिशा - 754142, खनिज और अयस्क समूह-I का निर्यात (निरीक्षण) नियम, 1965 तथा खनिज और अयस्क समूह-II का निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अधीन निरीक्षण की पद्धति की जाँच करने के लिये निर्यात निरीक्षण परिषद् द्वारा निमित्त नाम निर्दिष्ट अधिकारियों को पर्याप्त सुविधाएं देगी; तथा
- (ii) मैसर्स इंस्पेक्टोरेट ग्रीफ़िथ इंडिया प्राइवेट लिमिटेड, एचआईजी -34, गौरव बिहार, मधुबन पारादीप, ओडिशा - 754142, इस अधिसूचना के अधीन अपने कार्यों के पालन में निदेशक (निरीक्षण और गुणवत्ता नियंत्रण) निर्यात निरीक्षण परिषद् द्वारा समय-समय पर लिखित रूप में दिए गए ऐसे निर्देशों से आबद्ध होंगी।

[फा. सं. के-16014/12/2017- निर्यात निरीक्षण]

संतोष कुमार सारंगी, संयुक्त सचिव

MINISTRY OF COMMERCE AND INDUSTRY

(Department of Commerce)

New Delhi, the 13th October, 2017

S.O. 2624.—In exercise of the powers conferred by the sub-section (1) of section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), read with sub-rule (2) of rule 12 of the Export (Quality Control and Inspection) Rules, 1964, the Central Government hereby recognises M/s. Inspectorate Griffith India Private Limited , HIG-34, Gourav Bihar, Madhuban Paradip, Odisha -754142, as an agency for the purpose of sub-section (1) of section 7 of the said Act for a period of three years from the date of publication of this notification, for the inspection of Mineral and Ores (Group-I), namely, Iron Ore and Group-II , namely , Chrome Ore, Specified in the schedule annexed to the notification of the Government of India in the ministry of Commerce vide number S.O. 3975 dated the 20th December, 1965, and S.O.3978 dated the 20th December, 1965 respectively, prior to export of the said Minerals and Ores at Paradip Port and Dhamra Port, subject to the following conditions, namely: -

- (i) that M/s. Inspectorate Griffith India Private Limited, HIG-34, Gourav Bihar, Madhuban Paradip, Odisha -754142, shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in carrying out the inspection under rule 4 of the Export of Minerals and Ores - Group I (Inspection) Rules, 1965 and the Export of Minerals and Ores - Group II (Inspection) Rules, 1965; and
- (ii) the M/s. Inspectorate Griffith India Private Limited , HIG-34, Gourav Bihar, Madhuban Paradip, Odisha -754142 , in the performance of their function under this notification shall be bound by such directions as the Director (Inspection and Quality Control), Export Inspection Council may give in writing from time to time.

[F. No. K-16014/12/2017 - Export Inspection]

SANTOSH KUMAR SARANGI, Jt. Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 13 नवम्बर, 2017

का.आ. 2625.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 914(अ) तारीख 09.03.2017 जिसका प्रकाशन भारत के राजपत्र संख्या 819, भाग II, खण्ड 3, उप खण्ड (II) तारीख 21.03.2017 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट तेलंगाना राज्य के मंडल कट्टंगुर जिला नालगोंडा की भूमि में, ओडीशा राज्य में पारादीप से तेलंगाना राज्य में हैदराबाद तक

पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे “पारादीप-हैदराबाद पाइपलाइन परियोजना” के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 29.05.2017 तक उपलब्ध करा दी गई थीं।

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है:

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद् द्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए:

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी बिल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड पूर्णतयः उत्तरदायी होगी और पाइपलाइन से संबंधित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद, दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

मंडल: कट्टंगुर

जिला : नालगोंडा

राज्य : तेलंगाना

ग्राम का नाम	सर्वे नम्बर	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
(1)	(2)	(3)	(4)	(5)
रामचंद्रपुरम	75	00	27	61
	74	00	19	09
	56	00	19	08
	57	00	36	06
	59	00	01	44
	58	00	31	99
	52	00	22	94
	51	00	22	96
	50	00	17	62
	48	00	55	44
	35	00	40	12
	36	00	31	92
	32	00	01	94
	33	00	24	58
	28	00	20	48
	25	00	39	18

	23	00	23	45
	22	00	03	93
	21	00	50	08
अईटिषामुला	867	00	00	46
	964	00	17	85
	986	00	34	65
	983	00	25	40
	984	00	18	47
	1011/1	00	11	92
	1011/2	00	09	84
	1011/3	00	02	25
	1011/4	00	01	34
	1010/1	00	25	43
	1009	00	33	67
	1005	00	15	88
	1006	00	36	84
	912	00	00	33
	888	00	37	68
	887	00	28	80
	880	00	02	90
	886	00	39	10
	883	00	13	15
	882	00	19	28
	938	00	45	00
	937	00	29	02
	946	00	01	24
	945	00	31	30
	948	00	52	15
	949	00	00	27
	950	00	23	61
कट्टंगुर	55	00	45	75
	54	00	14	61
	49	00	22	76

	50	00	10	42
	33	00	38	15
	34	00	21	10
	38	00	13	54
	37	00	22	70
	36	00	00	44
	24	00	09	08
	28	00	14	03
	29	00	25	47
कल्मेरा	102	00	32	09
	105	00	20	32
	106	00	11	52
	107	00	29	91
	108	00	00	47
	92	00	24	52
	89	00	32	07
	90	00	11	02
	86	00	07	93
	85	00	01	59
मुनुकुंद्ला	502	00	15	35
	505	00	07	23
	507	00	07	52
	506	00	10	32
	510	00	03	62
	511	00	10	08
	559	00	10	03
	566	00	09	96
	667/1	00	14	72
	667/2	00	00	18
	667/3	00	04	66
	667/4	00	02	03
	667/5	00	00	50
	667/6	00	03	76

	667/7	00	01	52
	667/8	00	00	35
	665	00	17	24
	661	00	02	98
	664	00	00	68
	662	00	01	39
	663	00	07	70
	658	00	00	45
	678	00	11	33
	680	00	13	79
	681	00	23	80
	651	00	03	44
	682	00	25	98
	684	00	23	57
	685	00	27	07
	688	00	38	83
	693	00	37	04
	692	00	32	29
	715	00	23	15
	714	00	61	05
	740	00	18	27
	741	00	08	97
	742	00	40	12
	743	00	48	06
	737	00	19	17
	733	00	04	65
	729	00	37	92
	728	00	29	78
	501	00	03	35
	500	00	02	95
	419	00	00	55
परडा	394	00	13	34
	393	00	38	96

	409	00	36	30
	408	00	25	64
	407	00	41	01
	448	00	43	32
	457	00	40	57
	458	00	07	42
	459	00	30	28
	467	00	25	31
	466	00	07	75
	465	00	52	08
	464	00	15	55
	553	00	43	59
	556	00	39	03
	557	00	44	63
	559	00	13	11
	564	00	36	35
	563	00	22	72
	567	00	22	31
तिम्मापुरम	59	00	21	48
	4	00	27	32
	5	00	17	40
	6	00	42	36
	18	00	18	68
	17	00	27	08

[फा. सं. आर-25011/1/2017-ओआर-I/47190]

पवन कुमार, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 13th November, 2017

S.O. 2625.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No. 819 Part-II, Section 3, Sub-section (ii) dated 21.03.2017 vide S.O. Number 914 (E) dated 09.03.2017 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act) the Central Government declared its intention to acquire the right of user in the land situated in Mandal kattangur, District Nalgonda in Telangana State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Hyderabad in the State of Telangana by the Indian Oil Corporation Limited for implementing the "Paradip-Hyderabad Pipeline Project".

And where as the copies of the Gazette was made available to the public till 29.05.2017.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Central Government.

And whereas, the Central Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Central Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

India Oil Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to pipeline.

SCHEDULE

Mandal: Kattangur

District: Nalgonda

State: Telangana

Name of Village	Survey No.	Area		
		Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)
Ramachandrapuram	75	00	27	61
	74	00	19	09
	56	00	19	08
	57	00	36	06
	59	00	01	44
	58	00	31	99
	52	00	22	94
	51	00	22	96
	50	00	17	62
	48	00	55	44
	35	00	40	12
	36	00	31	92
	32	00	01	94
	33	00	24	58
	28	00	20	48
	25	00	39	18
	23	00	23	45
	22	00	03	93
	21	00	50	08
Aitipamula	867	00	00	46
	964	00	17	85
	986	00	34	65

	983	00	25	40
	984	00	18	47
	1011/1	00	11	92
	1011/2	00	09	84
	1011/3	00	02	25
	1011/4	00	01	34
	1010/1	00	25	43
	1009	00	33	67
	1005	00	15	88
	1006	00	36	84
	912	00	00	33
	888	00	37	68
	887	00	28	80
	880	00	02	90
	886	00	39	10
	883	00	13	15
	882	00	19	28
	938	00	45	00
	937	00	29	02
	946	00	01	24
	945	00	31	30
	948	00	52	15
	949	00	00	27
	950	00	23	61
Kattangur	55	00	45	75
	54	00	14	61
	49	00	22	76
	50	00	10	42
	33	00	38	15
	34	00	21	10
	38	00	13	54
	37	00	22	70
	36	00	00	44
	24	00	09	08
	28	00	14	03
	29	00	25	47
Kalimera	102	00	32	09
	105	00	20	32
	106	00	11	52
	107	00	29	91
	108	00	00	47

Munukuntla

92	00	24	52
89	00	32	07
90	00	11	02
86	00	07	93
85	00	01	59
502	00	15	35
505	00	07	23
507	00	07	52
506	00	10	32
510	00	03	62
511	00	10	08
559	00	10	03
566	00	09	96
667/1	00	14	72
667/2	00	00	18
667/3	00	04	66
667/4	00	02	03
667/5	00	00	50
667/6	00	03	76
667/7	00	01	52
667/8	00	00	35
665	00	17	24
661	00	02	98
664	00	00	68
662	00	01	39
663	00	07	70
658	00	00	45
678	00	11	33
680	00	13	79
681	00	23	80
651	00	03	44
682	00	25	98
684	00	23	57
685	00	27	07
688	00	38	83
693	00	37	04
692	00	32	29
715	00	23	15
714	00	61	05
740	00	18	27
741	00	08	97

	742	00	40	12
	743	00	48	06
	737	00	19	17
	733	00	04	65
	729	00	37	92
	728	00	29	78
	501	00	03	35
	500	00	02	95
	419	00	00	55
Parada	394	00	13	34
	393	00	38	96
	409	00	36	30
	408	00	25	64
	407	00	41	01
	448	00	43	32
	457	00	40	57
	458	00	07	42
	459	00	30	28
	467	00	25	31
	466	00	07	75
	465	00	52	08
	464	00	15	55
	553	00	43	59
	556	00	39	03
	557	00	44	63
	559	00	13	11
	564	00	36	35
	563	00	22	72
	567	00	22	31
Thimmapuram	59	00	21	48
	4	00	27	32
	5	00	17	40
	6	00	42	36
	18	00	18	68
	17	00	27	08

[F. No. R-25011/1/2017-OR-I/47190]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 13 नवम्बर, 2017

का.आ. 2626.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 732(अ) तारीख 03.03.2017 जिसका प्रकाशन भारत के राजपत्र संख्या 657, भाग II, खण्ड 3, उप खण्ड (II) तारीख 03.03.2017 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट तेलंगाना राज्य के मंडल केतेपल्ली जिला नालगोंडा की भूमि में, ओडीशा राज्य में पारादीप से तेलंगाना राज्य में हैदराबाद तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे “पारादीप-हैदराबाद पाइपलाइन परियोजना” के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 29.05.2017 तक उपलब्ध करा दी गई थीं।

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी नें केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है:

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए:

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी बिल्लिंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड पूर्णतयः उत्तरदायी होगी और पाइपलाइन से संबंधित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद, दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

मंडल : केतेपल्ली

जिला : नालगोंडा

राज्य : तेलंगाना

ग्राम का नाम	सर्वे नम्बर	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
(1)	(2)	(3)	(4)	(5)
भीमारम	63	00	02	30
	54/1	00	03	48
	508	00	66	23
	500	00	03	52
	503	00	40	71
	491	00	22	40
	492	00	37	97
	487	00	36	39
	486	00	25	82
	485	00	10	14

	483	00	23	80
	482	00	24	77
कोप्पोल	76	00	23	71
	81	00	18	23
तुंगतुर्ति	182	00	43	22
	181	00	32	09
	180	00	63	40
	179	00	33	45
	167	00	44	33
	166	00	51	34
	169	00	01	57
	147/1	00	23	09
	147/26	00	07	84
	157	00	18	55
	156	00	14	21
	13	00	01	81
	14	00	04	19
	18	00	07	03
	30	00	34	06
	27	00	58	68
चेरुकुपल्ली	465	00	02	96
	552	00	21	15
	553	00	31	09
	557	00	43	19
	558	00	30	90
	573	00	19	97
	574	00	23	18
	393	00	00	11
	392	00	00	01
	391	00	06	29
	389	00	69	65
	584	00	15	83
	585	00	48	23
	586	00	34	45
	384	00	22	11
	382	00	54	81

बंडपालेम	191	00	26	45
	192	00	21	92
	193	00	14	67
	195	00	48	24
	196	00	17	43
	197	00	28	10
	212	00	10	20
	213	00	03	89
	214	00	06	84
	181	00	00	28
	217	00	00	48
	218	00	06	02
	288	00	43	55
	289	00	54	10

[फा. सं. आर-25011/1/2017-ओआर-I/47190]

पवन कुमार, अवर सचिव

New Delhi, the 13th November, 2017

S.O. 2626.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No. 657 Part-II, Section 3, Sub-section (ii) dated 03.03.2017 vide S.O. Number 732 (E) dated 03.03.2017 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act) the Central Government declared its intention to acquire the right of user in the land situated in Mandal Kethepally, District Nalgonda in Telangana State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Hyderabad in the State of Telangana by the Indian Oil Corporation Limited for implementing the "Paradip-Hyderabad Pipeline Project".

And where as the copies of the Gazette was made available to the public till 29.05.2017.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Central Government.

And whereas, the Central Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Central Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

India Oil Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to pipeline.

SCHEDULE

Mandal : Kethepally

District : Nalgonda

State : Telangana

Name of Village	Survey No.	Area		
		Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)
Bheemaram	63	00	02	30
	54/1	00	03	48
	508	00	66	23
	500	00	03	52
	503	00	40	71
	491	00	22	40
	492	00	37	97
	487	00	36	39
	486	00	25	82
	485	00	10	14
	483	00	23	80
	482	00	24	77
	76	00	23	71
	81	00	18	23
Thungathurthy	182	00	43	22
	181	00	32	09
	180	00	63	40
	179	00	33	45
	167	00	44	33
	166	00	51	34
	169	00	01	57
	147/1	00	23	09
	147/26	00	07	84
	157	00	18	55
	156	00	14	21
	13	00	01	81
	14	00	04	19
	18	00	07	03
Cherkupally	30	00	34	06
	27	00	58	68
	465	00	02	96
	552	00	21	15
	553	00	31	09

	557	00	43	19
	558	00	30	90
	573	00	19	97
	574	00	23	18
	393	00	00	11
	392	00	00	01
	391	00	06	29
	389	00	69	65
	584	00	15	83
	585	00	48	23
	586	00	34	45
	384	00	22	11
	382	00	54	81
Bandapalem	191	00	26	45
	192	00	21	92
	193	00	14	67
	195	00	48	24
	196	00	17	43
	197	00	28	10
	212	00	10	20
	213	00	03	89
	214	00	06	84
	181	00	00	28
	217	00	00	48
	218	00	06	02
	288	00	43	55
	289	00	54	10

[F. No. R-25011/1/2017-OR-I/47190]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 13 नवम्बर, 2017

का.आ. 2627.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 731(अ) तारीख 03.03.2017 जिसका प्रकाशन भारत के राजपत्र संख्या 657, भाग II, खण्ड 3, उप खण्ड (ii) तारीख 03.03.2017 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट तेलंगाना राज्य के मंडल नर्कटपल्ली जिला नालगोंडा की भूमि में, ओडीशा राज्य में पारादीप से तेलंगाना राज्य में हैदराबाद तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे “पारादीप-हैदराबाद

पाइपलाइन परियोजना" के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 29.05.2017 तक उपलब्ध करा दी गई थीं।

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है:

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए:

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी बिल्लिंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड पूर्णतयः उत्तरदायी होगी और पाइपलाइन से संबंधित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद, दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

मंडल : नर्कटपल्ली

जिला : नालगोंडा

राज्य : तेलंगाना

ग्राम का नाम	सर्वे नम्बर	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
(1)	(2)	(3)	(4)	(5)
नेम्मनि	153	00	39	00
	147	00	17	17
	151	00	32	61
	126	00	30	89
	125	00	10	61
	163	00	32	82
	123	00	01	01
	166	00	45	62
	167	00	28	73
	118	00	01	56
	117	00	14	51
	116	00	21	00
	115	00	50	16
	112	00	49	99
	175/1	00	10	55

175/3	00	04	04
175/4	00	08	13
176	00	37	97
177	00	15	69
178	00	19	94
179	00	19	98
180	00	28	83
197	00	30	00
196	00	42	02
202	00	05	35
254	00	18	26
253	00	07	09
252	00	37	92
276/13	00	07	12
276/11	00	07	53
276/1	00	03	71
245	00	07	61
246	00	02	22
243	00	02	17
242	00	05	83
241	00	19	94
239	00	56	81
237	00	12	11
236	00	11	79
235	00	04	68
230	00	05	08
229	00	13	49
228	00	02	28
226	00	04	67
225	00	00	01

	224	00	13	92
तिरुमलगिरि	115	00	00	59
	114	00	03	52
	118	00	08	96
	117	00	06	60
	121	00	01	50
	124	00	39	20
मंदरा	174	00	10	85
	176	00	08	34
	175	00	18	79
	177	00	34	03
	178	00	36	97
	182	00	23	74
	189	00	37	04
	188	00	12	11
	192	00	13	24
	194	00	01	33
	199	00	50	47
	203	00	05	24
	205	00	01	66
	204	00	35	28
	209	00	32	65
	208	00	12	31
	211	00	14	11
	212	00	12	06
	236	00	20	12
	235	00	31	22
	234	00	34	37
	226	00	13	00
	227	00	22	55

265	00	00	68
224	00	29	98
220	00	07	06
222	00	29	21

[फा. सं. आर-25011/1/2017-ओआर-I/47190]

पवन कुमार, अवर सचिव

New Delhi, the 13th November, 2017

S.O. 2627.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No. 657 Part-II, Section 3, Sub-section (ii) dated 03.03.2017 vide S.O. Number 731 (E) dated 03.03.2017 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act) the Central Government declared its intention to acquire the right of user in the land situated in Mandal Narketpally, District Nalgonda in Telangana State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Hyderabad in the State of Telangana by the Indian Oil Corporation Limited for implementing the "Paradip-Hyderabad Pipeline Project".

And where as the copies of the Gazette was made available to the public till 29.05.2017.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Central Government.

And whereas, the Central Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Central Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

India Oil Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to pipeline.

SCHEDULE

Mandal : Narketpally

District : Nalgonda

State : Telangana

Name of Village	Survey No.	Area		
		Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)
Nemmani	153	00	39	00
	147	00	17	17
	151	00	32	61
	126	00	30	89
	125	00	10	61

163	00	32	82
123	00	01	01
166	00	45	62
167	00	28	73
118	00	01	56
117	00	14	51
116	00	21	00
115	00	50	16
112	00	49	99
175/1	00	10	55
175/3	00	04	04
175/4	00	08	13
176	00	37	97
177	00	15	69
178	00	19	94
179	00	19	98
180	00	28	83
197	00	30	00
196	00	42	02
202	00	05	35
254	00	18	26
253	00	07	09
252	00	37	92
276/13	00	07	12
276/11	00	07	53
276/1	00	03	71
245	00	07	61
246	00	02	22
243	00	02	17
242	00	05	83
241	00	19	94
239	00	56	81
237	00	12	11
236	00	11	79
235	00	04	68
230	00	05	08
229	00	13	49
228	00	02	28
226	00	04	67

	225	00	00	01
	224	00	13	92
Thirumalagiri	115	00	00	59
	114	00	03	52
	118	00	08	96
	117	00	06	60
	121	00	01	50
	124	00	39	20
Mandra	174	00	10	85
	176	00	08	34
	175	00	18	79
	177	00	34	03
	178	00	36	97
	182	00	23	74
	189	00	37	04
	188	00	12	11
	192	00	13	24
	194	00	01	33
	199	00	50	47
	203	00	05	24
	205	00	01	66
	204	00	35	28
	209	00	32	65
	208	00	12	31
	211	00	14	11
	212	00	12	06
	236	00	20	12
	235	00	31	22
	234	00	34	37
	226	00	13	00
	227	00	22	55
	265	00	00	68
	224	00	29	98
	220	00	07	06
	222	00	29	21

नई दिल्ली, 13 नवम्बर, 2017

का.आ. 2628.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 914(अ) तारीख 09.03.2017 जिसका प्रकाशन भारत के राजपत्र संख्या 819, भाग II, खण्ड 3, उप खण्ड (ii) तारीख 21.03.2017 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट तेलंगाना राज्य के मंडल नकिरेकल जिला नालगोंडा की भूमि में, ओडीशा राज्य में पारादीप से तेलंगाना राज्य में हैदराबाद तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे “पारादीप-हैदराबाद पाइपलाइन परियोजना” के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 29.05.2017 तक उपलब्ध करा दी गई थीं।

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी नें केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है:

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए:

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड पूर्णतयः उत्तरदायी होगी और पाइपलाइन से संबंधित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद, दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

मंडल : नकिरेकल

जिला : नालगोंडा

राज्य : तेलंगाना

ग्राम का नाम	सर्वे नम्बर	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
(1)	(2)	(3)	(4)	(5)
चंदुपट्टा	178	00	41	09
	179	00	20	10
	177	00	52	79
	176	00	03	67
	169	00	18	16
	170	00	32	29
	171	00	32	94
	160	00	07	59
	180	00	12	86

	181	00	07	51
	182	00	23	35
	183	00	05	22
	185	00	10	62
	184	00	04	40
	193	00	20	43
	194/2	00	07	26
	194/1	00	03	55
	192	00	18	21
	191	00	31	97
	373	00	23	32
	381	00	08	02
	380	00	10	74
	385	00	09	17
	384	00	06	67
	392	00	20	75
	427	00	00	55
	393	00	07	19
	408	00	00	26
	409	00	15	42
	410	00	06	25
	412	00	13	03
	413	00	00	22
	414	00	05	31
	418	00	08	06
	416	00	05	94
	351/1	00	05	30
मरूर	342/1	00	89	63
	345	00	15	94
	342/167	00	07	76

	342/66	00	06	96
	342/67	00	06	32
	342/97	00	00	37
	342/100	00	01	72
	342/99	00	02	71
	340	00	23	72
	339	00	30	04
	195	00	40	05
	196	00	40	27
	342/145	00	04	23
	342/146	00	00	19
	342/159	00	05	61
	342/158	00	07	92
	342/157	00	08	31
	342/150	00	14	25
	296	00	13	57
	297	00	00	91
	303	00	01	39
	298	00	13	85
	302	00	08	63
	316	00	02	82
	321	00	00	28
	320	00	47	24
मंगलपल्ली	125	00	20	82
	126	00	27	67
	124	00	25	35
	123	00	23	76
	121	00	29	16
	119	00	32	62
	118	00	00	29

131	00	02	37
132	00	30	50
133	00	08	65
191	00	24	12
168	00	09	13
170	00	01	52
171	00	00	59
188	00	11	21
187	00	00	53
186	00	03	63
184	00	05	14
185	00	00	37
178	00	15	52
180	00	03	97
179	00	15	80
288	00	04	58
289	00	01	43
294	00	01	33
293	00	21	95
292	00	14	57
291	00	01	71
306	00	34	40
310	00	18	80
309	00	14	77
360	00	35	32
417	00	47	23
522	00	31	12
525	00	31	07
532	00	10	56
528	00	28	80

	529	00	20	85
	514	00	19	32
	515	00	09	91
	516	00	06	99
	494	00	19	71
	512	00	20	24
	495	00	21	02
	500	00	08	44
	499	00	14	58
	498	00	13	59
	485/25	00	10	23
	485/7	00	00	01
	485/6	00	14	37
	485/4	00	00	37
	485/2	00	04	33
	485/1	00	11	29
ताटिकल	286/1	00	35	10
	286/66	00	03	45
	286/67	00	05	55
	286/68	00	08	32
	504/1	00	45	43
	312	00	10	27
	333	00	05	21
	330/14	00	14	50
	317	00	00	87
	330/12	00	04	83
	330/13	00	08	51
	332	00	29	04
	348	00	28	84

[फा. सं. आर-25011/1/2017-ओआर-I/47190]

पवन कुमार, अवर सचिव

New Delhi, the 13th November, 2017

S.O. 2628.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No. 819 Part-II, Section 3, Sub-section (ii) dated 21.03.2017 vide S.O. Number 914 (E) dated 09.03.2017 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act) the Central Government declared its intention to acquire the right of user in the land situated in Mandal Nakrekal, District Nalgonda in Telangana State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Hyderabad in the State of Telangana by the Indian Oil Corporation Limited for implementing the "Paradip-Hyderabad Pipeline Project".

And where as the copies of the Gazette was made available to the public till 29.05.2017.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Central Government.

And whereas, the Central Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Central Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

India Oil Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to pipeline.

SCHEDULE

Mandal : Nakrekal

District : Nalgonda

State : Telangana

Name of Village	Survey No.	Area		
		Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)
Chandupatla	178	00	41	09
	179	00	20	10
	177	00	52	79
	176	00	03	67
	169	00	18	16
	170	00	32	29
	171	00	32	94
	160	00	07	59
	180	00	12	86
	181	00	07	51
	182	00	23	35
	183	00	05	22
	185	00	10	62
	184	00	04	40
	193	00	20	43
	194/2	00	07	26

	194/1	00	03	55
	192	00	18	21
	191	00	31	97
	373	00	23	32
	381	00	08	02
	380	00	10	74
	385	00	09	17
	384	00	06	67
	392	00	20	75
	427	00	00	55
	393	00	07	19
	408	00	00	26
	409	00	15	42
	410	00	06	25
	412	00	13	03
	413	00	00	22
	414	00	05	31
	418	00	08	06
	416	00	05	94
	351/1	00	05	30
Marrur	342/1	00	89	63
	345	00	15	94
	342/167	00	07	76
	342/66	00	06	96
	342/67	00	06	32
	342/97	00	00	37
	342/100	00	01	72
	342/99	00	02	71
	340	00	23	72
	339	00	30	04
	195	00	40	05
	196	00	40	27
	342/145	00	04	23
	342/146	00	00	19
	342/159	00	05	61
	342/158	00	07	92
	342/157	00	08	31
	342/150	00	14	25
	296	00	13	57
	297	00	00	91
	303	00	01	39

Mangalpally

298	00	13	85
302	00	08	63
316	00	02	82
321	00	00	28
320	00	47	24
125	00	20	82
126	00	27	67
124	00	25	35
123	00	23	76
121	00	29	16
119	00	32	62
118	00	00	29
131	00	02	37
132	00	30	50
133	00	08	65
191	00	24	12
168	00	09	13
170	00	01	52
171	00	00	59
188	00	11	21
187	00	00	53
186	00	03	63
184	00	05	14
185	00	00	37
178	00	15	52
180	00	03	97
179	00	15	80
288	00	04	58
289	00	01	43
294	00	01	33
293	00	21	95
292	00	14	57
291	00	01	71
306	00	34	40
310	00	18	80
309	00	14	77
360	00	35	32
417	00	47	23
522	00	31	12
525	00	31	07
532	00	10	56

	528	00	28	80
	529	00	20	85
	514	00	19	32
	515	00	09	91
	516	00	06	99
	494	00	19	71
	512	00	20	24
	495	00	21	02
	500	00	08	44
	499	00	14	58
	498	00	13	59
	485/25	00	10	23
	485/7	00	00	01
	485/6	00	14	37
	485/4	00	00	37
	485/2	00	04	33
	485/1	00	11	29
Thatikal	286/1	00	35	10
	286/66	00	03	45
	286/67	00	05	55
	286/68	00	08	32
	504/1	00	45	43
	312	00	10	27
	333	00	05	21
	330/14	00	14	50
	317	00	00	87
	330/12	00	04	83
	330/13	00	08	51
	332	00	29	04
	348	00	28	84

[F. No. R-25011/1/2017-OR-I/47190]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 13 नवम्बर, 2017

का.आ. 2629.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 724(अ) तारीख 03.03.2017 जिसका प्रकाशन भारत के राजपत्र संख्या 651, भाग II, खण्ड 3, उप खण्ड (ii) तारीख 03.03.2017 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट तेलंगाना राज्य के मंडल चित्तूर जिला नालगोंडा की भूमि में, ओडीशा राज्य में पारादीप से तेलंगाना राज्य में हैदराबाद तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे “पारादीप-हैदराबाद

पाइपलाइन परियोजना" के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 29.05.2017 तक उपलब्ध करा दी गई थीं।

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी नें केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिष्चय किया है:

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए:

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड पूर्णतयः उत्तरदायी होगी और पाइपलाइन से संबंधित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद, दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

मंडल : चित्तौड़गढ़

जिला : नालगोंडा

राज्य : तेलंगाना

ग्राम का नाम	सर्वे नम्बर	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
(1)	(2)	(3)	(4)	(5)
वानिपाकला	47	00	15	37
	45	00	51	80
	42	00	15	11
	43	00	07	72
	39	00	50	47
	32	00	60	92
शिवनेनिगुडेम	223	00	32	48
	224	00	49	48
	228	00	04	39
	227	00	30	03
	231	00	41	78
	232	00	32	06
	234	00	04	57
	233	00	21	52

	240	00	27	72
	239	00	49	05
	238	00	32	85
	237	00	15	90
	251	00	35	50
	275/7	00	00	01
	250	00	04	04
	275/8	00	11	46
	279	00	00	16
	275/9	00	00	67
चिट्ताल	581	00	26	33
	578	00	01	88
	559	00	24	23
	560	00	22	84
	562	00	28	47
	565	00	02	79
	566	00	34	81
	708	00	07	23
	705	00	31	57
	706	00	10	30
	696	00	33	45
	690	00	51	37
	691	00	49	57
	660	00	37	05
	659	00	26	35
	658	00	34	23
	709	00	35	57
	712	00	28	99
	700	00	43	88

	55	00	01	71
सुन्केनेपल्ली	68	00	15	91
	69	00	27	06
	72	00	24	63
	71	00	00	84
	70	00	32	14
	80	00	42	28
	81	00	19	40
	76	00	69	65
	93	00	41	42
	79	00	31	46
	95	00	33	65
	94	00	06	87

[फा. सं. आर-25011/1/2017-ओआर-I/47190]

पवन कुमार, अवर सचिव

New Delhi, the 13th November, 2017

S.O. 2629.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No. 651 Part-II, Section 3, Sub-section (ii) dated 03.03.2017 vide S.O. Number 724 (E) dated 03.03.2017 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act) the Central Government declared its intention to acquire the right of user in the land situated in Mandal Chityal, District Nalgonda in Telangana State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Hyderabad in the State of Telangana by the Indian Oil Corporation Limited for implementing the "Paradip-Hyderabad Pipeline Project".

And where as the copies of the Gazette was made available to the public till 29.05.2017.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Central Government.

And whereas, the Central Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Central Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

India Oil Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to pipeline.

SCHEDULE

Mandal : Chityal

District : Nalgonda

State : Telangana

Name of Village	Survey No.	Area		
		Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)
Vanipakla	47	00	15	37
	45	00	51	80
	42	00	15	11
	43	00	07	72
	39	00	50	47
	32	00	60	92
Shivanenigudem	223	00	32	48
	224	00	49	48
	228	00	04	39
	227	00	30	03
	231	00	41	78
	232	00	32	06
	234	00	04	57
	233	00	21	52
	240	00	27	72
	239	00	49	05
	238	00	32	85
	237	00	15	90
	251	00	35	50
	275/7	00	00	01
	250	00	04	04
	275/8	00	11	46
	279	00	00	16
	275/9	00	00	67
Chityal	581	00	26	33
	578	00	01	88
	559	00	24	23
	560	00	22	84
	562	00	28	47
	565	00	02	79
	566	00	34	81
	708	00	07	23
	705	00	31	57

	706	00	10	30
	696	00	33	45
	690	00	51	37
	691	00	49	57
	660	00	37	05
	659	00	26	35
	658	00	34	23
	709	00	35	57
	712	00	28	99
	700	00	43	88
	55	00	01	71
Sunkenepally	68	00	15	91
	69	00	27	06
	72	00	24	63
	71	00	00	84
	70	00	32	14
	80	00	42	28
	81	00	19	40
	76	00	69	65
	93	00	41	42
	79	00	31	46
	95	00	33	65
	94	00	06	87

[F. No. R-25011/1/2017-OR-I/47190]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 13 नवम्बर, 2017

का.आ. 2630.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोक हित में यह आवश्यक है कि भारतीय रेलवे के डी.एफ.सी के लिए बी.के.पी.एल. का मुगलसराय और कानपुर के बीच खण्ड शिफ्टिंग के लिए विगत अनुसार सर्वेक्षण क्षेत्र-ए (प्रस्थापित पाइपलाइन चैनेज 316.037 से 335.478 तक जिला – मिर्जापुर) में पेट्रोलियम पदार्थों के परिवहन हेतु जिला मिर्जापुर, राज्य उत्तरप्रदेश में इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए आवश्यक प्रतीत होता है कि उस भूमि में जिसके भीतर उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग का अर्जन किया जाए;

अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको, भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के अन्दर, भूमि के भीतर पाइपलाइन बिछाए जाने हेतु उपयोग के अधिकार के अर्जन के लिए, श्री सुनील कुमार, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पाइपलाइन्स डिवीजन सूबेदारगंज, जिला इलाहाबाद, पो. पीपलगाँव, राज्य उत्तरप्रदेश पिन: 211 012 को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : चुनार	जिला : मिर्ज़ापुर	राज्य : उत्तर प्रदेश		
गांव का नाम	खसरा नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
हिंडोहरा मु. कुंडाडीह	108	00	02	48
	219	00	17	29

[फा. सं. आर-25011/06/2013-ओआर-I/26344]

पवन कुमार, अवर सचिव

New Delhi, the 13th November, 2017

S.O. 2630.— Whereas, it appears to the Central Government that it is necessary in the public interest that a pipeline should be laid by the Indian Oil Corporation Limited in Dist. Mirzapur in the State of Uttar Pradesh for carrying out 'Detailed Survey For Shifting Of Barauni Kanpur Pipeline Between Mughalsarai And Kanpur For DFCCIL of Indian Railway in Part-A (From Existing P/L Ch. 316.037 To 335.478 KM In District- Mirzapur)' for the transportation of Petroleum Product;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land, to Shri Sunil Kumar, Competent Authority, Indian Oil Corporation Limited. (Pipelines Division), Barauni Kanpur Pipelines, Subedarganj P.O. Pipalgaon Dist. Allahabad (Uttar Pradesh) – 211 012.

SCHEDULE

TEHSIL: CHUNAR	DISTRICT: MIRZAPUR	STATE: UTTAR PRADESH		
Name of Village	Khasra No.	Area		
		Hectare	Are	Sq. Mt.
1	2	3	4	5
Hindohara Mu. Kundadieh	108	00	02	48
	219	00	17	29

[F. No. R-25011/06/2013-OR-I/26344]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 13 नवम्बर, 2017

का.आ. 2631.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि भारतीय रेलवे के डी.एफ.सी के लिए वी.के.पी.एल. का मुगलसराय और कानपुर के बीच खण्ड शिफ्टिंग के लिए विगत अनुसार सर्वेक्षण क्षेत्र-ए (प्रस्थापित पाइपलाइन चैनेज 316.037 से 335.478 तक जिला – मिर्ज़ापुर) में पेट्रोलियम पदार्थों के परिवहन हेतु ज़िला मिर्ज़ापुर, राज्य उत्तरप्रदेश में इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए आवश्यक प्रतीत होता है कि उस भूमि में जिसके भीतर उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग का अर्जन किया जाए;

अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको, भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के अन्दर, भूमि के भीतर पाइपलाइन बिछाए जाने हेतु उपयोग के अधिकार के अर्जन के लिए, श्री सुनील कुमार, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पाइपलाइन्स डिवीजन सूबेदारगंज, जिला इलाहाबाद, पो. पीपलगाँव, राज्य उत्तरप्रदेश पिन: 211012 को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील: चुनार	जिला : मिर्ज़ापुर	राज्य : उत्तर प्रदेश		
गांव का नाम	खसरा नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
बेलवारी	723	00	01	64
परसिया	16	00	01	97
कुण्डाडीह	849	00	03	86
परोरा	560	00	01	04
सिकिया	648	00	02	50

[फा. सं. आर-25011/06/2013-ओआर-I/26344]

पवन कुमार, अवर सचिव

New Delhi, the 13th November, 2017

S.O. 2631.—Whereas, it appears to the Central Government that it is necessary in the public interest that a pipeline should be laid by the Indian Oil Corporation Limited in Dist. Mirzapur in the State of Uttar Pradesh for carrying out 'Detailed Survey For Shifting Of Barauni Kanpur Pipeline Between Mughalsarai And Kanpur For DFCCIL of Indian Railway in Part-A (From Existing P/L Ch. 316.037 To 335.478 KM In District- Mirzapur)' for the transportation of Petroleum Product;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land, to Shri Sunil Kumar, Competent Authority, Indian Oil Corporation Limited. (Pipelines Division), Barauni Kanpur Pipelines, Subedarganj P.O. Pipalgaon Dist. Allahabad (Uttar Pradesh) – 211 012.

SCHEDULE

TEHSIL: CHUNAR	DISTRICT: MIRZAPUR	STATE: UTTAR PRADESH		
Name of Village	Khasra No.	Area		
		Hectare	Are	Sq. Mt.
1	2	3	4	5
Belwari	723	00	01	64
Parsiya	16	00	01	97
Kundadih	849	00	03	86
Katka	560	00	01	04
Sikia	648	00	02	50

[F. No. R-25011/06/2013-OR-I/26344]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 13 नवम्बर, 2017

का.आ. 2632.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोक हित में यह आवश्यक है कि भारतीय रेलवे के डी.एफ.सी के लिए बी.के.पी.एल. का मुगलसराय और कानपुर के बीच खण्ड शिफ्टिंग के लिए विगत अनुसार सर्वेक्षण क्षेत्र-ए (प्रस्थापित पाइपलाइन चैनेज 316.037 से 335.478 तक जिला – मिर्ज़ापुर) में पेट्रोलियम पदार्थों के परिवहन हेतु जिला मिर्ज़ापुर, राज्य उत्तरप्रदेश में इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए आवश्यक प्रतीत होता है कि उस भूमि में जिसके भीतर उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग का अर्जन किया जाए;

अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको, भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के अन्दर, भूमि के भीतर पाइपलाइन बिछाए जाने हेतु उपयोग के अधिकार के अर्जन के लिए, श्री सुनील कुमार, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पाइपलाइन्स डिवीजन सूबेदारगंज, जिला इलाहाबाद, पो. पीपलगाँव, राज्य उत्तरप्रदेश पिन: 211 012 को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील: चुनार	जिला : मिर्ज़ापुर	राज्य : उत्तर प्रदेश		
गांव का नाम	खसरा नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
दिक्षितपुर	170	00	00	60
	155	00	01	00
	169	00	02	04
	156	00	02	28

[फा. सं. आर-25011/06/2013-ओआर-I/26344]

पवन कुमार, अवर सचिव

New Delhi, the 13th November, 2017

S.O. 2632.—Whereas, it appears to the Central Government that it is necessary in the public interest that a pipeline should be laid by the Indian Oil Corporation Limited in Dist. Mirzapur in the State of Uttar Pradesh for carrying out 'Detailed Survey For Shifting Of Barauni Kanpur Pipeline Between Mughalsarai And Kanpur For DFCCIL of Indian Railway in Part-A (From Existing P/L Ch. 316.037 To 335.478 KM In District- Mirzapur)' for the transportation of Petroleum Product;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land, to Shri Sunil Kumar, Competent Authority, Indian Oil Corporation Limited. (Pipelines Division), Barauni Kanpur Pipelines, Subedarganj P.O. Pipalgaon Dist. Allahabad (Uttar Pradesh) – 211 012.

SCHEDULE

TEHSIL: CHUNAR	DISTRICT: MIRZAPUR	STATE: UTTAR PRADESH		
Name of Village	Khasra No.	Area		
		Hectare	Are	Sq. Mt.
1	2	3	4	5
Dixitpur	170	00	00	60
	155	00	01	00
	169	00	02	04
	156	00	02	28

[F. No. R-25011/06/2013-OR-I/26344]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 13 नवम्बर, 2017

का.आ. 2633.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोक हित में यह आवश्यक है कि "पटना – मोतिहारी – बैतालपुर शाखा पाइपलाइन" के अंतर्गत पेट्रोलियम पदार्थों के परिवहन हेतु जिला सिवान, राज्य बिहार में इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए ।

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए आवश्यक प्रतीत होता है कि उस भूमि में जिसके भीतर उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको, भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के अन्दर, भूमि के भीतर पाइपलाइन बिछाए जाने हेतु उपयोग के अधिकार के अर्जन के लिए, श्री जगदीश प्रसाद सिंह, बि.प्र.से. व सक्षम प्राधिकारी इंडियन ऑयल कॉर्पोरेशन लिमिटेड, (पाइपलाइन्स डिवीजन) पटना, पी.एम.बी.पी.एल. नीषी कुंज, बसंत विहार कॉलोनी, बोरिंग रोड, जिला पटना, पिन: 800001, बिहार को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

जिला : सिवान			राज्य : बिहार		
मौजा / ग्राम	सर्वे / ब्लाक / सं. (प्लोट सं.)	सब-डिवि.-सं.	क्षेत्रफल		
			हेक्टेयर	आरे	वर्ग मीटर
1	2	3	4	5	6
मदारीचक थाना नंबर-235	919		00	02	80
	920		00	00	20
	918		00	05	09
	906		00	00	88
	748		00	00	20
	808		00	00	20
	795		00	01	09
	796		00	01	04
	794		00	00	20
बगौरा थाना नंबर-234	643		00	04	54
	105		00	00	78
	104		00	09	02
	103		00	12	58
	113		00	07	14
	145		00	00	69
	143		00	09	77
दहकाई थाना नंबर-231	267		00	02	85
	241		00	00	64
दौन छापरा थाना नंबर-230	196		00	01	46
	193		00	17	63
मंछा थाना नंबर-225	855		00	01	21
भदेआ थाना नंबर-226	86		00	00	20
	115		00	01	24
उस्ती थाना नंबर-224	191		00	00	29
	80		00	11	54
मीराचक थाना नंबर-199	359		00	01	31
	358		00	00	71
	348		00	10	16
	209		00	00	54
	207		00	01	20
	219		00	07	77
बालडीह थाना नंबर-183	90		00	09	66
रुकुन्दीपूर थाना नंबर-168	1201		00	00	65
जगदीशपुर थाना नंबर-160	656		00	00	20

बांगरा	2154		00	09	64
थाना नंबर-156	3040		00	02	80
भीखा बन	28		00	16	74
थाना नंबर-153	22(रास्ता)		00	03	26
देउरीया	367		00	07	41
थाना नंबर-153	18		00	00	32
	1281		00	01	96
	1329		00	00	34
बिसुनपुरा महौरी	2820		00	00	20
थाना नंबर-154	2896		00	07	48
	2889		00	03	87
	2883		00	03	76
	2881		00	05	54
	2879		00	04	30
	1951		00	00	84
	1956		00	00	32
	1949		00	03	00
	1751		00	00	85
	1752		00	00	20
	1750		00	01	83
	1749		00	09	85
सुरबीर	213		00	18	25
थाना नंबर-152	214		00	04	82
	855		00	00	20
	856		00	28	94
	858		00	00	25
	857		00	00	73
	970		00	00	45
	996		00	00	20
	998		00	00	91
	1158		00	04	79
	1328		00	01	22
	1332		00	03	89
	1348		00	03	11
	1524		00	00	20
	1366		00	00	61
	1414		00	00	20
	1408		00	02	45
	1400		00	01	66
	1397		00	01	32
	1428		00	05	04
ईटहरी	772		00	14	69
थाना नंबर-145	651		00	01	94

	647		00	02	17
	634		00	00	20
	620		00	01	16
	616		00	08	05
	614		00	01	82
	395		00	00	94
	396		00	04	32
	397		00	02	65
	398		00	01	62
	399		00	04	40
	400		00	04	28
	405(नाला)		00	06	09
	511		00	03	77
	511 / 877		00	01	40
	510		00	00	50
	408		00	04	80
	407		00	04	19
	410		00	03	07
	366		00	00	20
	341		00	01	99
हहवा	1143		00	06	76
थाना नंबर-130	1136		00	04	84
	1134 / 1483		00	00	20
जगदीशपुर	288		00	02	36
थाना नंबर-129	509		00	02	72
	555		00	00	24
	556		00	04	22
	559		00	03	77
	857		00	02	33
अगेयान	4543		00	03	91
थाना नंबर-113	4542		00	00	20
	4540		00	00	20
	4598		00	00	20
	4602		00	04	93
	3665		00	04	72
	3703		00	00	61
	3495		00	03	20
	3454		00	09	43
	3439		00	00	20
	3440		00	02	97
	2587		00	05	06
	2533		00	01	56
	1743		00	00	41

	1771 / 5002		00	00	75
	1773		00	00	56
	1758		00	00	56
	1757		00	00	34
	1812		00	04	02
	1645		00	00	93
	1644		00	00	20
	1656		00	08	33
	1473		00	02	74
	1474		00	02	20
	1470		00	02	40
	1464		00	05	96
	1358		00	00	35
सथवार थाना नंबर-89	1387		00	17	66
	1431		00	01	36
	1190		00	00	34
	1194		00	04	60
	1216		00	00	93
खवासपुर थाना नंबर-74	399		00	04	62
	100		00	00	38
सीकतीया थाना नंबर-63	2025		00	07	11
	2024		00	00	32
जलालपुर थाना नंबर-62	185		00	02	06
	85		00	00	20
	95		00	00	20
	36		00	08	62
डुमरा थाना नंबर-58	2884		00	00	20
	2892		00	00	66
	2893		00	03	10
	2968		00	00	31
	2977		00	01	75
	3001		00	00	38
	2991		00	00	20
	2995		00	00	61
	2998		00	00	32
	3082		00	01	23
	3086		00	00	20
	4594		00	01	58
	3322		00	02	36
	3321		00	16	44
	3325		00	01	15
	3326		00	03	34
	3318		00	04	35

	3518		00	03	87
	3526		00	00	42
	3529		00	02	72
	3602		00	06	66
	5392		00	06	16
	5481		00	07	56
मंदरा पाली थाना नंबर—394	1157 / 1897		00	01	09
	1036		00	02	20
	1045		00	08	50
	357		00	00	20
	355		00	11	94
मन्दरौली थाना नंबर—393	1922		00	00	35
	1883		00	00	85
	1933		00	01	91
लहेजी थाना नंबर—392	2568		00	05	92
	2567		00	04	90
	2541		00	02	04
	2531		00	07	22
	2529		00	11	48
	2448		00	05	32
	2447		00	01	49
फाजीलपुर थाना नंबर—364	1509		00	14	19
मचकना थाना नंबर—214	2144		00	04	80
	2128		00	17	35
	1142		00	00	30
भैसाखल थाना नंबर— 154	1046		00	02	60
	739		00	23	61
मुइन थाना नंबर— 137	2863		00	00	20
	1509		00	05	82
	2011		00	08	67
	1762		00	00	20
	1758		00	06	80
	1770		00	09	72
	22		00	00	42
	18		00	00	33
	1772		00	09	72
	19		00	00	20
	17		00	06	95
	1773		00	02	89
	10		00	12	83
पोखरेरा थाना नंबर—76	1029		00	13	56
	1024		00	00	24

	1022		00	10	46
कुलदीपा थाना नंबर-77	411		00	00	78
सेवतापूर थाना नंबर-76	2088		00	09	14
	539		00	03	75
	537		00	00	81
	547		00	06	31
	548		00	02	05
	549		00	05	22
	580		00	03	73
	578		00	00	79

[फा. सं. आर-25011/53/2017-ओआर-1]

पवन कुमार, अवर सचिव

New Delhi, the 13th November, 2017

S.O. 2633.—Whereas it appears to the Central Government that it is necessary in the public interest that a pipeline should be laid by the Indian Oil Corporation Limited in District Siwan in the State of Bihar for “Patna - Motihari - Baitalpur Branch Pipeline” for the transportation of Petroleum Product;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land, to Shri Jagdish Prasad Singh B.A.S. & Competent Authority, Indian Oil Corporation Limited. (Pipelines Division) PMBPL Nishi Kunj, Basant Bihar Colony, Boring Road, Dist. Patna (Bihar.) Pin – 800001.

SCHEDULE

District : Siwan			State : Bihar		
Mouja / Village	Survey/Block No.	Sub-Div-No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Madarichak Thana No.-235	919		00	02	80
	920		00	00	20
	918		00	05	09
	906		00	00	88
	748		00	00	20
	808		00	00	20
	795		00	01	09
	796		00	01	04

	794		00	00	20
Bagaura	643		00	04	54
Thana No.-234	105		00	00	78
	104		00	09	02
	103		00	12	58
	113		00	07	14
	145		00	00	69
	143		00	09	77
Dahkai	267		00	02	85
Thana No.-231	241		00	00	64
Dawn Chapra	196		00	01	46
Thana No.-230	193		00	17	63
Mancha	855		00	01	21
Thana No.-225					
Bhadea	86		00	00	20
Thana No.-226	115		00	01	24
Usti	191		00	00	29
Thana No.-224	80		00	11	54
Mirachak	359		00	01	31
Thana No.-199	358		00	00	71
	348		00	10	16
	209		00	00	54
	207		00	01	20
	219		00	07	77
Baldih	90		00	09	66
Thana No.-183					
Rukundipur	1201		00	00	65
Thana No.-168					
Jagdishpur	656		00	00	20
Thana No.-160					
Bangra	2154		00	09	64
Thana No.-156	3040		00	02	80
Bhikhaban	28		00	16	74
Thana No.-153	22-Road		00	03	26
Devaria	367		00	07	41
Thana No.-153	18		00	00	32
	1281		00	01	96
	1329		00	00	34
Bishunpur Mahuari	2820		00	00	20
Thana No.-154	2896		00	07	48
	2889		00	03	87

	2883		00	03	76
	2881		00	05	54
	2879		00	04	30
	1951		00	00	84
	1956		00	00	32
	1949		00	03	00
	1751		00	00	85
	1752		00	00	20
	1750		00	01	83
	1749		00	09	85
Surbir Thana No.-152	213		00	18	25
	214		00	04	82
	855		00	00	20
	856		00	28	94
	858		00	00	25
	857		00	00	73
	970		00	00	45
	996		00	00	20
	998		00	00	91
	1158		00	04	79
	1328		00	01	22
	1332		00	03	89
	1348		00	03	11
	1524		00	00	20
	1366		00	00	61
	1414		00	00	20
	1408		00	02	45
	1400		00	01	66
	1397		00	01	32
	1428		00	05	04
Ithari Thana No.-145	772		00	14	69
	651		00	01	94
	647		00	02	17
	634		00	00	20
	620		00	01	16
	616		00	08	05
	614		00	01	82
	395		00	00	94
	396		00	04	32
	397		00	02	65
	398		00	01	62

	399		00	04	40
	400		00	04	28
	405-Nala		00	06	09
	511		00	03	77
	511/877		00	01	40
	510		00	00	50
	408		00	04	80
	407		00	04	19
	410		00	03	07
	366		00	00	20
	341		00	01	99
Hahwa	1143		00	06	76
Thana No.-130	1136		00	04	84
	1134/1483		00	00	20
Jagdishpur	288		00	02	36
Thana No.-129	509		00	02	72
	555		00	00	24
	556		00	04	22
	559		00	03	77
	857		00	02	33
Ageyan	4543		00	03	91
Thana No.-113	4542		00	00	20
	4540		00	00	20
	4598		00	00	20
	4602		00	04	93
	3665		00	04	72
	3703		00	00	61
	3495		00	03	20
	3454		00	09	43
	3439		00	00	20
	3440		00	02	97
	2587		00	05	06
	2533		00	01	56
	1743		00	00	41
	1771/5002		00	00	75
	1773		00	00	56
	1758		00	00	56
	1757		00	00	34
	1812		00	04	02
	1645		00	00	93
	1644		00	00	20

	1656		00	08	33
	1473		00	02	74
	1474		00	02	20
	1470		00	02	40
	1464		00	05	96
	1358		00	00	35
Sathwar Thana No.-89	1387		00	17	66
	1431		00	01	36
	1190		00	00	34
	1194		00	04	60
	1216		00	00	93
Khawaspur Thana No.-74	399		00	04	62
	100		00	00	38
Sikatiya Thana No.-63	2025		00	07	11
	2024		00	00	32
Jalalpur Thana No.-62	185		00	02	06
	85		00	00	20
	95		00	00	20
	36		00	08	62
Dumra Thana No.-58	2884		00	00	20
	2892		00	00	66
	2893		00	03	10
	2968		00	00	31
	2977		00	01	75
	3001		00	00	38
	2991		00	00	20
	2995		00	00	61
	2998		00	00	32
	3082		00	01	23
	3086		00	00	20
	4594		00	01	58
	3322		00	02	36
	3321		00	16	44
	3325		00	01	15
	3326		00	03	34
	3318		00	04	35
	3518		00	03	87
	3526		00	00	42
	3529		00	02	72
	3602		00	06	66
	5392		00	06	16

	5481		00	07	56
Mandrapali	1157/1897		00	01	09
Thana No.-394	1036		00	02	20
	1045		00	08	50
	357		00	00	20
	355		00	11	94
Mandrauli	1922		00	00	35
Thana No.-393	1883		00	00	85
	1933		00	01	91
Laheji	2568		00	05	92
Thana No.-392	2567		00	04	90
	2541		00	02	04
	2531		00	07	22
	2529		00	11	48
	2448		00	05	32
	2447		00	01	49
Fazilpur	1509		00	14	19
Thana No.-364					
Machkana	2144		00	04	80
Thana No.-214	2128		00	17	35
	1142		00	00	30
Bhaishakhal	1046		00	02	60
Thana No.-154	739		00	23	61
Muin	2863		00	00	20
Thana No.-137	1509		00	05	82
	2011		00	08	67
	1762		00	00	20
	1758		00	06	80
	1770		00	09	72
	22		00	00	42
	18		00	00	33
	1772		00	09	72
	19		00	00	20
	17		00	06	95
	1773		00	02	89
	10		00	12	83
Pokhrera	1029		00	13	56
Thana No.-76	1024		00	00	24
	1022		00	10	46
Kuldipa	411		00	00	78
Thana No.-77					

Sewtapur	2088		00	09	14
Thana No.-76	539		00	03	75
	537		00	00	81
	547		00	06	31
	548		00	02	05
	549		00	05	22
	580		00	03	73
	578		00	00	79

[F. No. R-25011/53/2017-OR-I]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 13 नवम्बर, 2017

का.आ. 2634.— केन्द्रीय सरकार, पेट्रोलियम एवं खनिज पाइपलाइन) भूमि में उपयोग के अधिकार का अर्जन (अधिनियम, 1962) 1962का(50 , की धारा 2 के खंड) क) के अनुसरण में, नीचे दी गई अनुसूची के स्तंभ 1 में उल्लिखित व्यक्ति को, उक्त अनुसूची के स्तंभ 2 में की तत्स्थानी प्रविष्टि में उल्लिखित क्षेत्र के संबंध में उक्त अधिनियम के अधीन सक्षम प्राधिकारी के कृत्यों का निर्वहन करने के लिए प्राधिकृत करती है, अर्थात् :-

प्राधिकारी का नाम और पता	अधिकारिता का क्षेत्र
(1)	(2)
श्री भरत जे. अकूवाला अपर समाहर्ता (अवकाश प्राप्त) सक्षम अधिकारी इंडियन ऑयल कॉर्पोरेशन लिमिटेड पश्चिमी क्षेत्र पाइपलाइन्स प्रोजेक्ट्स 3/122 गुजरात रिफाइनरी टाउनशिप पी. ओ. - जवाहर नगर वडोदरा (गुजरात) पिन -391320	गुजरात राज्य

यह अधिसूचना जारी होने की तारीख से लागू होगी।

[फा. सं. आर-25011/14/2012-ओआर-I(पार्ट)/48578]

पवन कुमार, अवर सचिव

New Delhi, the 13th November, 2017

S.O. 2634.—In pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby authorises the person mentioned in column (1) of the Schedule given below to perform the functions of the “Competent Authority” under the said Act, in respect of the area mentioned in column (2) of the said Schedule:

SCHEDULE

Name and Address of the Authority (1)	Area of jurisdiction (2)
Shri Bharat J. Akruwala Additional Collector (Retd.) Competent Authority Indian Oil Corporation Limited, Western Region Pipelines Projects 3/122, Gujarat Refinery Township, PO: Jawaharnagar, Vadodara. (Gujarat). Pin-391320	State of Gujarat

This notification is applicable from the date of issue.

[F. No. R-25011/14/2012-OR-I(Pt.)/48578]

PAWAN KUMAR, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 7 नवम्बर, 2017

का.आ. 2635.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 नवम्बर, 2017 को उस तारीख के रूप में नियत करती है, जिसे उक्त अधिनियम के अध्याय IV (धारा 44 व 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) तथा अध्याय V और VI [धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी हैं] के उपबन्ध ओडिशा राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

क्रम सं.	राज्य	जिला	राजस्व केन्द्र
1.	ओडिशा	गजपति	पारलाखेमुंडि की नगरपालिका सीमाओं में शामिल सभी क्षेत्र
2.	ओडिशा	केंद्रापड़ा	केंद्रापड़ा एवं पट्टामुंडाई की नगरपालिका सीमाओं में शामिल सभी क्षेत्र
3.	ओडिशा	नयागड़	खंडापड़ा एवं नयागड़ की अधिसूचित क्षेत्र परिषद सीमाओं में शामिल सभी क्षेत्र

[सं. एस-38013/12/2017-एस.एस.-I]

अजय मलिक, अवर सचिव

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 7th November, 2017

S.O. 2635.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st November, 2017 as the date on which the provisions of Chapter-IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following Areas in the State of Odisha namely :—

Sl. No.	State	District	All the areas falling under
1.	Odisha	Gajapati	All the areas comprising of the Municipal Limits of Paralakhemundi
2.	Odisha	Kendrapara	All the areas comprising of the Municipal Limits of Kendrapara and Pattamundai

3.	Odisha	Nayagarh	All the areas comprising of the Notified area Council Limits of Khandapara and Nayagarh
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[No. S-38013/12/2017-S.S.-I]

AJAY MALIK, Under Secy.

नई दिल्ली, 8 नवम्बर, 2017

का.आ. 2636.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स सिंगारेनी कोलियरीज कंपनी लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, गोदावरिखानी के पंचाट (संदर्भ संख्या 13/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13.10.2017 को प्राप्त हुआ था।

[सं. एल-22013/01/2017-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 8th November, 2017

S.O. 2636.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 13/2011) of the Central Government Industrial Tribunal-cum-Labour Court, Godavarikhani as shown in Annexure, in the industrial dispute between the management of M/s. Singareni Collieries Company Ltd. and their workmen, received by the Central Government on 13.10.2017.

[No. L-22013/01/2017-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE**BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-CUM-VI ADDL.DIST. & SESSIONS COURT, GODAVARIKHANI****Present :** Sri Sambasiva Rao Naidu, Chairman-cum-Presiding OfficerFRIDAY, ON THIS THE 23rd DAY OF JUNE, 2017**INDUSTRIAL DISPUTE No. 13 OF 2011****Between :**

Asampalli Lingaiah, S/o.Mallaiah, age 49 years,
Occ : Ex.Badli filler, E.C.No. 0981337,
R/o.Chillapalli village, Mandal Manthani,
District Karimnagar (A.P.),

...Petitioner

AND

1. The General Manager, Singareni Collieries Company Ltd.,
Ramagundam Area-I, P.O. Godavarikhani, District Karimnagar.
2. The Managing Director, SCC Ltd, Kothagudem,
Khammam District

...Respondents

This case coming before me for final hearing in the presence of Sri S.Bhagavanth Rao, Advocate for the petitioner and of Sri D.Krishna Murthy, Advocate for the Respondents; and having been heard and having stood over for consideration till this day, the Tribunal delivered the following:-

AWARD

1. This is a petition filed by the petitioners under section 2-A (2) of Industrial Dispute Act, 1947 which herein after will be referred as ID Act with a prayer to direct the respondents herein to reinstate the first petitioner into service with other attendant benefits including full back wages by setting aside the termination order dated 12-11-2000. In fact one A.Lingaiah who is no more now and who worked in Singareni Collieries Company Limited filed this petition with the above referred prayer but in view of his death pending disposal of the present ID his legal representatives came on record as petitioner Nos.2 to 5 by way of orders in I.A.No.39/2015. Though the petitioners No.2 to 5 came on record they did not made any consequential amendments to the petition. The following is the brief case of the petitioners as per the petition.

2. The 1st petitioner was appointed in Singareni Collieries Company Limited during 1983. He has discharged his duties to the utmost satisfaction of the superiors up to his removal from service on 12-11-2000. He worked in the company for more than 19 years. While he was working in the company his health was not good thereby he used to remain absent during 1999. Therefore, the respondents have issued a charge sheet bearing no.1/6-G/2000/783, dt.10-03-2000. The 1st petitioner represented his inability and his health condition. An enquiry was conducted behind his back. The 1st petitioner was illiterate, he cannot read and write. The respondents have obtained his thumb impression on blank papers. He did not participate in the enquiry. The 1st petitioner further claimed that the year 1999 was a bad year in his life since he and his wife fell sick. The respondents having conducted an enquiry and terminated him from service from 12-01-2000. The 1st petitioner further averred in the petition that the respondents did not conduct fair enquiry, he was not given any opportunity to cross examine the witnesses produced by the management. The respondents have adopted unfair labour practice against him. He has further pleaded that he was called for an interview in pursuance of several representations and the petitioner attended before the High Power Committee at Kothagudem. But his case was not considered by the respondents, again he has addressed a demand letter dated 19-11-2006 and requested the respondent to provide employment. But there was no response to his letter. Therefore, he has filed the present ID under section 2A(2) of ID Act and sought for his reinstatement into service with continuity of service and other attendant benefits and back wages.
3. The respondents have appeared before this Tribunal, R-1 filed a counter which is adopted by R-2. The following is the brief case of respondents as per the counter.
4. The 1st respondent is a Government company incorporated under the provisions of Companies Act, 1956, since the Coal Mine Industry is a central subject the Appropriate Government for its management is the Central Government. According to section 7A(1) of Industrial Disputes Act the appropriate Government may by notification in the official gazette, constitute one or more Industrial Tribunals for the adjudication of Industrial Disputes whether specified in the 2nd schedule or 3rd schedule and performing such other functions as may be assigned to them under this act. The Central Government established an Industrial Tribunal-cum-Labour Court at Hyderabad for adjudication of Industrial Disputes. The 1st petitioner ought to have approached the said Tribunal for redressal. But, he conveniently avoided filing this petition before this Tribunal established by the Central Government. Therefore, the present petition before this Tribunal is not maintainable and liable to be dismissed.
5. The respondents while extracting Section 2A(2) of ID Act further claimed that the present dispute is barred by limitation. According to the respondents in the instant case the 1st petitioner was dismissed from service during 2000. The 1st petitioner kept quite for a period of more than 10 years and raised ID which is barred by limitation under section 2A(2) of ID Act.
6. A part from these two contentions these respondents have further pleaded that the 1st petitioner was appointed as Badli filler on 29-09-1983 and was dis-empanelled from service vide office order dated 31-10-1993 due to his poor performance. Later he was appointed as a fresh Badli Filler vide office order dated 27-04-1994. The 1st petitioner was never regular to his duties, his services governed by company standing orders. According to section 52 (2) of Mines Act, 1952 an underground employee is required to put in minimum musters of 190 and surface employees have to put in 240 musters in a calendar year. The 1st petitioner being an underground employee is expected to put in minimum of 190 musters in a calendar year. But the 1st petitioner being a chronic absentee has put NIL musters in 1999. Therefore, he will charge sheeted under section 25.25 of Company's standing orders. The respondent has furnished the attendance particulars of the 1st petitioner in their counter and stated that the 1st petitioner never put 190 musters in any calendar year from 1993 to 2000. The respondents have disputed and denied the averments of para no.4 to 6 of the petition filed by petitioners and further claimed that the 1st petitioner acknowledged the charge sheet dated 10-03-2000 but failed to submit any explanation. A notice was issued for enquiry on 12-06-2000 and 1st petitioner was directed to attend the enquiry on 12-06-2000. The 1st petitioner attended the enquiry proceedings. The enquiry officer conducted enquiry duly following the principles of natural justice. The 1st petitioner was explained the contents of the charge sheet and having satisfied with the procedure, the 1st petitioner put his thumb impression on the proceedings. Therefore, according to the respondents the enquiry was fairly conducted and a report was submitted finding the 1st petitioner guilty of misconduct. Therefore, the 1st petitioner was dis-empanelled from service even then he cannot improve his attendance. Therefore, R-1 was constrained to dismiss the 1st petitioner from service.
7. The respondents have further stated that in view of the memorandum of settlement dated 20-08-2004 between the management of respondent company and the recognized trade union, the High power committee (PA & W) examined the cases of dismissed employees from 01-01-2000 to 30-06-2004. As such, the case of 1st petitioner was also considered but was not recommended for re-appointment as not fulfilling the parameters fixed by the committee. The respondents have claimed that in spite of being dis-empanelled from service he failed to improve his attendance even after appointment afresh in the year, 1994. Thereby he was dismissed from service during 2003.

8. The respondents have further stated that there is a procedure in case of dismissal to approach the appropriate appellate authority. According to clause 29 the respondent company standing orders any aggrieved person can appeal to the appellate authority within 45 days of the receipt of dismissal order but the 1st petitioner failed to exhaust the available remedy. Therefore, on all these grounds the respondents sought for dismissal of the petition.

9. I have heard both parties. The petitioners have marked Ex.W-1 to W-3 and Ex.M-1 to M-9 are marked on behalf of the respondents.

Now the point for consideration is

1. *Whether the order dated 12-11-2000 by which the 1st petitioner was terminated from service is illegal, if so whether it is liable to be set aside.*
2. *Whether the petitioners are entitled to seek the attendant benefits and back wages of the 1st petitioner.*

10. It is an admitted fact that the 1st petitioner by name A.Lingaiah was an employee of the respondents' company herein and he was appointed during 1983. The 1st petitioner claims that he was removed from service without any fault on his part. Whereas the respondents have claimed that the 1st petitioner was a chronic absentee. He could not put the required musters right from 1993 to 2000. Therefore, the company dis-empanelled him from service vide order dated 13-10-2013. He was given re-appointment in the year 1994. But he could not improve the performance he was never regular to his duties. The respondents have furnished the details of musters of the 1st petitioner herein. The 1st petitioner is no more, the legal representative of 1st petitioner namely his wife and children have contested the present I.D. They have marked (3) documents namely Ex.W-1 to W-3. Ex.W-1 is the charge sheet served on 1st petitioner. The order dated 09-11-2000 by which the 1st petitioner was removed from service w.e.f. 12-11-2000. According to this document it appears that a charge sheet was served on the 1st petitioner on 10-03-2000 for the misconduct of the 1st petitioner. The respondents have claimed that the said charge sheet was served on the 1st petitioner and he acknowledged the same on 15-03-2000. Ex.W-1 further shows that 1st petitioner did not give any explanation to the charge sheet. Thereby the domestic enquiry was conducted into the charges leveled against him. The enquiry officer found the 1st petitioner guilty thereby the respondents have terminated the 1st petitioner. Ex.W-2 is the letter from Colliery Manager, dated 11-04-2005 and according to this document it shows that the 1st petitioner presented review against the order vide Ex.W-1 and he was asked to attend a interview before the High power committee at 9.30 am on 21-04-2005. Ex.W-3 is supposed to be a representation of the 1st petitioner dated 19-07-2006. In this representation the 1st petitioner requested the respondent to provide re-appointment. These (3) documents proved that the 1st petitioner was irregular to his duties. On the other hand the respondents have filed (9) documents Ex.M-1 is an application filed by the 1st petitioner on 02-02-1994. According to this document it shows that 1st petitioner requested the General Manager, SCCL to provide employment in spite of his irregular service for the past (6) months. In this letter 1st petitioner informed the respondents that due to domestic problems he was not regular to the duties. Ex.M-2 is office order dated 25-04-1994 and this letter was addressed to 1st petitioner, he was informed that he was appointed as Badli filler on piece rate wages against absenteeism vacancies and this appointment does not confer any right on job in the company. He has to attend the 1 Incline, GDK on every day to find out work in place of permanent fillers who are temporarily absent. These (2) documents categorically shows that the 1st petitioner though appointed in 1983 was not in service in January, 1994. On his application he was again appointed as piece rate Badli filler and he was required to work in the place of temporarily absent fillers. Ex.M-3 is the copy of charge sheet served on the 1st petitioner on 10-03-2000. According to this charge sheet it was alleged that 1st petitioner was absent for duty from 01-01-1999 to 31-02-1999 without sanction of sick leave or prior permission of the superiors. Ex.M-4 is the acknowledgment given by 1st petitioner to the notice under Ex.M-3. Ex.M-5 is the proceedings of domestic enquiry and Ex.M-6 is the enquiry report submitted by the enquiry officer finding the 1st petitioner guilty of misconduct. A show cause notice under Ex.M-7 was served against 1st petitioner. Ex.M-8 is the acknowledgement by the 1st petitioner. Ex.M-9 is the order by which the 1st petitioner was terminated from service.

11. The petitioners have claimed that 1st petitioner was a illiterate. He was not provided with a fair opportunity. He does not know proceedings of domestic enquiry. The respondents have obtained his thumb impression on some documents and terminated him from service. The respondents have claimed that the 1st petitioner was a chronic absentee. In the charge sheet it is categorically stated that he was absent for duty for a period of one year. The petitioner could not produce any proof that he was regular to the duties. On the other hand his own letter under Ex.M-1 clearly shows that he was irregular to the duties for more than (6) months and on his request only he was again appoint as piece rate wage Badli filler. Therefore, the record placed before this Tribunal would show that 1st petitioner was irregular to the duties. The termination order was passed on 09-11-2000. The 1st petitioner having received the notice kept quite till 2006 even though he made a representation to the respondent vide Ex.W-3 in 2006 again he kept quite till 2011 and the present ID was filed on 28-03-2011. This ID was filed U/Sec.2-A(2) of I.D., Act which reads as follows:-

In view of the above any workman may make one application after the expiry of 45 days from the date he has made an application to the conciliation officer of the appropriate Government for conciliation and according to Sub-

Section (3) such application shall be made to the Labour Court or Tribunal before the expiry of 3 years from the date of discharge, dismissal etc., In this case the termination was on 9-1-2000, but I.D., was filed on 28-3-2011. Therefore, the petition is filed nearly 10 ½ years after the order. On this ground also the petition is not maintainable. The 1st petitioner who was not in a position to attend the duty regularly cannot seek his reinstatement, attendant benefits and back wages for the above said period. The petitioner's No.2 to 5 being his legal heirs are not entitled to the relief sought for in the petition. Therefore, the order vide Ex.M-9 need not be set aside. There are no irregularities in the order and the present ID is liable to be dismissed.

12. In the result, the petition is dismissed.

Dictated to Typist, transcribed by him, corrected and pronounced by me in open Court, on this the 23rd day of June, 2017.

SRI SAMBASIVA RAO NAIDU, Presiding Officer

APPENDIX OF EVIDENCE

WITNESSES EXAMINED

FOR WORKMAN:-

-Nil-

FOR MANAGEMENT:-

-Nil-

EXHIBITS

FOR WORKMAN :

Ex.W-1	Dt.	09-11-2000	Dismissal order
Ex.W-2	Dt.	11-12-04-2005	Letter issued to petitioner by the respondent to attend High Power Committee at Head Office, Kothagudem on 21-4-2005
Ex.W-3	Dt.	19-07-2006	Demand letter

FOR MANAGEMENT :

Ex.M-1	Dt.	02-02-1994	Mercy petition submitted before the respondent
Ex.M-2	Dt.	25-04-1994	Appointment order
Ex.M-3	Dt.	10-03-2000	Charge sheet
Ex.M-4	Dt.	04-06-2000	Enquiry notice
Ex.M-5	Dt.	12-06-2000	Domestic enquiry proceedings
Ex.M-6	Dt.	14-06-2000	Enquiry report
Ex.M-7	Dt.	11-10-2000	Show cause notice
Ex.M-8	Dt.	18-10-2000	Ack., to show cause notice
Ex.M-9	Dt.	09-11-2000	Office order dismissal letter

नई दिल्ली, 8 नवम्बर, 2017

का.आ. 2637.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स बी. बी.एम.बी. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नं. 2, चंडीगढ़ के पंचाट (संदर्भ संख्या 749/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.11.2017 को प्राप्त हुआ था।

[सं. एल-23012/27/2001-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 8th November, 2017

S.O. 2637.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 749/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Chandigarh as shown in Annexure, in the industrial dispute between the management of M/s. B.B.M.B. and their workmen, received by the Central Government on 08.11.2017.

[No. L-23012/27/2001-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH****Present:** Sri Kewal Krishan, Presiding Officer.**Case I.D. No. 749/2005**

Registered on 02.09.2005

Sh. Jaspal S/o Sh. Roshan Lal, R/o House No.82-G,
Block Nangal Township, District Ropar

...Petitioner

Versus

The Chief Engineer, Bhakra Dam, BBMB,
Nangal Township, District Ropar

...Respondent

APPEARANCES

For the workman : Sh. R. K. Parmar AR of workman

For the Management : Sh. Bhagat Singh, Law Officer

AWARD

Passed on : 21.09.2017

Vide Order No.L-23012/27/2001-IR(CM-II), dated 06.05.2002 the Central Government in exercise of the powers conferred by Clause (d) of Sub-Section (1) and Sub-Section 2(A) of Section 10 of Industrial Disputes Act, 1947 (in short Act) has referred the following industrial dispute for adjudication to this Tribunal.

“Whether the action of the Chief Engineer, Bhakra Dam, BBMB, Nangal Township, Ropar in terminating the services of Sh. Jaspal S/o Sh. Roshan Lal is legal and justified? If not, to what relief the workman is entitled to and from which date?”

In response to the notice, the workman appeared and submitted statement of claim, to which the respondent-management filed written statement.

The facts, emerging are, that the workman was appointed as Skilled Labour(Electrical) with the management vide letter No./PS/169/Genl dated 19.10.1989. He was placed under suspension vide order dated 29.07.1998 on account of misappropriation of funds and making fake and bogus entries in the record. A regular enquiry was initiated against him wherein the management led evidence.

After considering of the evidence, the Enquiry Officer came to the conclusion that the charges against the workman are proved.

On considering the Enquiry Report, the workman was dismissed from service vide order dated 15.05.2000.

The workman was charge-sheeted on the following counts:-

1. He (Sh. Jaspal) has misappropriated the govt. money amounting to Rs.61644-58.
2. He (Sh. Jaspal) has made fake entries in the office record i.e. consumer ledger.
3. He (Sh. Jaspal) has issued bogus/fictitious receipts to consumers.
4. He (Sh. Jaspal) has torn the pages of office record and all bogus receipts to destroy the evidence of misappropriated Govt. amount.
5. He (Sh. Jaspal) has failed to maintain absolute devotion to duty integrity and acted in a manner of unbecoming of Board's employees.

After examining the enquiry report and the evidence led before him, the enquiry was set aside by this Court vide order dated 07.08.2017.

The respondent-management was given opportunity to lead evidence to prove the charges in the Court. The management in support of the charges examined Sh. Inder Pal Singh, SDO, Nangal Township, BBMB, Nangal, who filed his affidavit, reiterating the stand taken by the respondent-management in the written statement.

I have heard Sh. R.K. Parmar, authorized representative of the workman and Sh. Bhagat Singh, Law Officer, for the respondent-management.

As stated above, the workman was charge-sheeted for misappropriating certain amount and making fake entries in the ledgers and issuing bogus receipts etc. Sh. Inder Pal Singh, SDO, examined by the respondent-management has again produced the documents which were produced before the Enquiry Officer. But his statement do not prove the documents alleged to be forged by the workman. He has stated in his cross-examination that the workman did not work under him and he cannot identify his handwriting. He had no personal knowledge about the embezzlement or the wrong entries.

Thus, his statement do not advance the case of the management in any way and do not prove the charges against the workman as stated above.

Sh. Bhagat Singh carried me through the copy of the judgment dated 19.09.2011(M 11) passed by the Civil Court and submitted that the suit filed by the respondent-management against the workman for recovery of the embezzled amount was decreed, and as such, charges stand proved. Suffice to say that the judgment is relevant only to show that a civil suit was filed for the recovery of certain amount which was decreed but in the present case, the enquiry report has already been set aside by passing a detailed order and therefore, it cannot be said from the passing of the judgment dated 19.09.2011 by the Civil Court that the charges against the workman are proved.

Since the charges against the workman are not proved on the file and the enquiry report submitted in the enquiry has already been set aside vide Order dated 07.08.2017 by this Court and therefore, the punishment order dated 15.05.2000 vide which he was removed from service is liable to be set aside.

The workman was dismissed from service on 15.05.2000. It is neither pleaded nor proved that the workman was gainfully employed from the date of order of dismissal till now or for some period. Therefore, it is to be held that he remained without work throughout the period and in the circumstances, he is entitled to full back wages.

In result, the reference is answered, holding that the termination of the services of the workman is illegal and unjustified and the respondent-management is directed to reinstate him in service within one month of publication of award with continuity of service and all other benefits. He be paid full back-wages from the date of his dismissal till reinstatement. The arrears be calculated within four months of the publication of the award and be paid, failing which the workman shall be entitled to claim interest on the calculated amount @ 6% per annum from the date of award till realization.

KEWAL KRISHAN, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2017

का.आ. 2638.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 711/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09.11.2017 को प्राप्त हुआ था।

[सं. एल-41012/25/2000-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 9th November, 2017

S.O. 2638.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 711/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 09.11.2017.

[No. L-41012/25/2000-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD****Present :**

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 27th September, 2017

Reference: (CGITA) No. 711/2004

The Divisional Railway Manager,
Western Railway,
Pratapnagar,
Baroda (Gujarat)

...First Party

V/s

The Divisional Secretary,
Paschim Railway Karmachari Parishad,
Shastri Pole, Kothi,
Baroda (Gujarat) – 390001

...Second Party

For the First Party :

For the Second Party : Shri J.K. Ved (Union Representative)

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41012/25/2000-IR(B-I) dated 27.06.2000 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the union for interpolation of the seniority of Shri Farooq G. Shaikh as ELF Gr. III from the back date i.e. equal to Shri Vilas G. Gadkari and for other consequential benefits is legal, proper and justified? If so, to what relief Shri Farooq G. Shaikh is entitled to and from which date?”

1. The reference dates back to 27.06.2000. The second party workman submitted the statement of claim Ex. 3 on 23.11.2000 for fixing of his seniority as ELF Grade III since the date when co-workman Vilas G. Gadkari was given with consequential benefits on the ground that he joined the service on 16.02.1977 but he was not given seniority since the date when his junior co-workman Vilas G. Gadkari was granted.
2. The first party Divisional Railway Manager, Western Railway, Pratapnagar submitted the written statement Ex. 5 denying the averments made in the statement of claim submitting that the workman was engaged as Casual Khalasi on 16.02.1977 and temporary status was granted on 16.02.1977. It is true that trade test of the employee was taken whosoever has completed 3 years of regular service on 31.02.1977. He has not completed 3 years of service and another workman Kalubhai Dilip Bansal has completed 3 years of regular service. As this workman could not completed 3 years of regular service, therefore, he cannot be granted seniority from the date as claimed by him in the statement of claim.
3. On the basis of the pleadings, the following issues arise:
 - a. Whether the demand of the union for interpolation of the seniority of Shri Farooq G. Shaikh as ELF Gr. III from the back date i.e. equal to Shri Vilas G. Gadkari and for other consequential benefits is legal, proper and justified?
 - b. If so, to what relief, if any, Shri Farooq G. Shaikh is entitled and from which date?
4. Issue No. (i): The burden to prove this issue was lying on the second party workman who was examined and reiterated the averments made in the statement of claim. He also filed photocopies of some of the documents to prove his case but he has failed to prove that at the time of trade test taken of the co-workman Vilas G. Gadkari, he completed 3 years of regular service.

5. During the course of argument, on behalf of the second party union, his representative Shri J.K. Ved, The Divisional Secretary, Paschim Railway Karmachari Parishad did not press the reference.
6. Thus the reference is dismissed as not pressed by the second party union.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2017

का.आ. 2639.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार स्टेट बैंक ऑफ सौराष्ट्र के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 1192/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09.11.2017 को प्राप्त हुआ था।

[सं. एल-12012/462/2001-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 9th November, 2017

S.O. 2639.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 1192/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of State Bank of Saurashtra and their workmen, received by the Central Government on 09.11.2017.

[No. L-12012/462/2001-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 26th September, 2017

Reference: (CGITA) No. 1192/2004

The Manager,
State Bank of Saurashtra,
Main Branch, Morvi,
Rajkot (Gujarat) – 363641

...First Party

V/s

Shri Manhar Danabhai Sindhav,
C/o Saurashtra Kutch Majoor Sangh,
317, Panchanath Commercial Centre, Harihar Chowk,
Rajkot (Gujarat) – 360001

...Second Party

For the First Party : Shri B.B. Gogia
For the Second Party : Shri G.R. Thaker

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-12012/462/2001-IR(B-I) dated 30.04.2002 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of State Bank of Saurashtra, Rajkot to discontinue the services of Shri Manharbhai D. Sindhav is justified? If not, what relief the workman is entitled?”

1. The reference dates back to 30.04.2002. The second party submitted the statement of claim Ex. 4 alleging that the second party workman had been engaged as Peon on Rs. 60/- as daily wages since May, 1997. He has further alleged that he also worked for 29 days in September, 1992. He was never served any memo regarding any of his misconduct and he was thrown away on 22.10.1999 without serving any notice or notice pay despite retaining some casual workers junior to him. Thus the cessation of his service was violative of the provisions of Section 25 G & H of the I.D. Act read with Rule 81 of the I.D. Rules.
2. The first party submitted the written statement Ex. 16 on 07.12.2010 admitting the fact that the workman was engaged as Peon on daily wages since May, 1997 to October, 1999. No junior employee was engaged or retained after the termination of the second party workman. The branch manager of State Bank of Saurashtra was not having any power to recruit any employee subordinate to him. It is wrong to say that this workman ever completed 783 days as alleged in the statement of claim. All the submissions made in the statement of claim are false. No violation of Section 25 G and H of the I.D. Act, has been made.
3. Since the filing of the written statement on 07.12.2010, the workman has failed to lead evidence. Therefore, it appears that the second party is not willing to prosecute the case.
4. Thus the reference is disposed of in the absence of the evidence of the second party workman with the observation as under: "the action of the management of State Bank of Saurashtra, Rajkot to discontinue the services of Shri Manharbhai D. Sindhav is justified."

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2017

का.आ. 2640.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 61/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09.11.2017 को प्राप्त हुआ था।

[सं. एल-41011/71/2008-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 9th November, 2017

S.O. 2640.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 61/2010) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 09.11.2017.

[No. L-41011/71/2008-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 11th October, 2017

Reference: (CGITA) No. 61/2010

1. The Divisional Railway Manager,
Western Railway, Pratapnagar,
Baroda (Gujarat) – 390004
2. The Works Manager (Workshop),
Western Railway, Pratapnagar,
Baroda (Gujarat) – 390004

3. The Shop Supdt. (Electrical),
Western Railway, Pratapnagar,
Baroda (Gujarat) – 390004

...First Party

V/s

The Hon. President,
General Workmen's Union,
Sinduri Mata Devasthan, S.T. Nagar Road,
Godhra (Gujarat)

...Second Party

For the First Party : Shri H.B. Shah

For the Second Party : Shri J.K. Ved

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/71/2008-IR(B-I) dated 03.03.2009 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of union in appointment of Ms. Mayaben Sureshchandra Chilley, daughter of late Shri Sureshbhai Chilley Ex-temporary status Railway employee on compassionate ground is justified? If so, to what relief Ms. Mayaben Sureshchandra Chilley is entitled?”

1. The reference dates back to 03.03.2009. After service of notice to both the parties, the second party union submitted the statement of claim Ex. 6 on 11.08.2009 through its President Shri J.K. Ved. Since then the first parties The Divisional Railway Manager, Western Railway, Pratapnagar, Baroda, The Works Manager (Workshop), Western Railway, Pratapnagar, Baroda and The Shop Supdt. (Electrical), Western Railway, Pratapnagar, Baroda, despite service and filing the vakalatpatra Ex. 12 of his advocate on 24.03.2011, did not prefer to submit the written statement or reply. Therefore, on 04.08.2016, the reference was ordered to proceed ex-parte against all the aforesaid first parties.
2. The second party union in his statement of claim Ex. 6 has alleged that a workman namely Sureshbhai Chilley died on 17.12.1981 while serving the first party for number of years. The widow of the workman namely Maltiben moved an application for sanction of early pension and also for appointment of Mayaben Sureshchandra Chilley, daughter of the deceased employee Sureshbhai Chilley on compassionate ground under dying in harness rules. It has also been alleged that they moved the Labour Court, Vadodara for sanctioning of early pension and payment of post-cum-retirement benefits of Rs. 172484/- which was ordered by the Labour Court in the favour of the widow of the deceased employee on 06.12.1999. The first party went into appeal in the Gujarat High Court vide Special Civil Application No. 942 of 2000 but Gujarat High Court dismissed the appeal of the first party. Thereafter, the first party moved Later Patent Appeal No. 282 of 2008 against the aforesaid judgement of the Gujarat High Court in SCA No. 942 of 2000. Same was also dismissed by the Division Bench of High Court of Gujarat.
3. As the matter was proceeding ex-parte against the first parties, the second party union filed the affidavit Ex. 16 of Maltiben Sureshbhai Chilley, widow of the deceased employee on 06.08.2017 reiterating the averments made in the statement of claim, same is unrebutted as the first parties did not respond.
4. Thus I do find the merit in the reference in the light of the aforesaid affidavit. The reference is allowed and disposed of with the observation as under: “the demand of union in appointment of Ms. Mayaben Sureshchandra Chilley, daughter of late Shri Sureshbhai Chilley Ex-temporary status Railway employee on compassionate ground is justified.”
5. The first parties are directed to appoint Mayaben Sureshchandra Chilley, daughter of the deceased employee Sureshbhai Chilley on compassionate ground under dying in harness rules on the post to which she is eligible as per the eligibility criterion of the first parties' recruitment rules within 60 days from the publication of the award.
6. The award is passed accordingly.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2017

का.आ. 2641.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 103/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09.11.2017 को प्राप्त हुआ था।

[सं. एल-12012/41/98-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 9th November, 2017

S.O. 2641.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 103/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen, received by the Central Government on 09.11.2017.

[No. L-12012/41/98-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 12th October, 2017

Reference: (CGITA) No. 103/2004

The Manager,
State Bank of India,
Main Branch, Bhadra,
Ahmedabad (Gujarat)

...First Party

V/s

Shri Gurjeetsingh D. Multani,
A-12, AnandBhoomiTenaments,
Opp. Paras Nagar, IOC Road, Chandkheda,
Ahmedabad (Gujarat)

...Second Party

For the First Party : Shri D.C Gandhi Associates

For the Second Party : Shri P.C. Chaudhary

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-12012/41/98-IR(B-I) dated 28.08.1998 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of State Bank of India in terminating the service of Shri Gurjeetsing D. Multaniw.e.f. 13.05.1993 and not considering for regular employment is justified? If not what relief the concerned workman is entitled to?”

1. The reference dates back to 28.08.1998. The second party workman Gurjeetsing D. Multani submitted the statement of claim Ex. 3 on 09.10.1998 alleging that he was appointed as a Watchman on 01.04.1985 by the first party State Bank of India, hereby referred to as first party as per the rules and regulations of the bank after undergoing the process of interview and due procedure. He had been discharging his duties honestly and diligently. He worked for more than 240 days in the bank, though worked continuously the first party used to give him an artificial break during the continuous working with the first party. He was discharging the duties of taking care of/looking after the

assets/properties/closed units at Chhatral under hypothecation with the bank and which were seized by the first party. He used to work in the shifts in the category of Watchman/Peon but his services were terminated by an oral order in an illegal, improper, unjust manner and also against the principles of natural justice as he was not served any notice and was also not paid any retrenchment compensation. He has further alleged that the first party officials appointed their acquaintances who were also working on daily rated basis at the rate of Rs. 30/- per day and were junior to him out of favouritism. Thus the bank violated the principles of seniority reached in the bipartite settlement. He has further alleged that he was given artificial break in services to avoid his regularisation in the service. The first party did not follow the provisions of Section 25 F, G and H of the Industrial Disputes Act and also violated the bipartite settlement, custom and rules of the bank. He has further alleged that a wait list was prepared by the first party after inviting applications and taking interviews of all the daily rated and casual workers wherein he was very much in the list but he was not given appointment despite the fact that other wait listed candidates of Hamals and Watchmen including junior to him, were given appointment. Thus he has prayed that the questioned termination order dated 13.05.1993 be declared illegal, improper, unjust and against the bipartite settlement and he be reinstated with full back wages with legal expenses of Rs. 1000/-.

2. The first party submitted his written statement Ex. 5 on 08.10.1999 denying most of the averments made in the statement of claim Ex. 3 except those specifically admitted in the written statement. The second party workman was engaged on 01.05.1985 as a temporary hamal and worked only for 94 days prior to the interview of him taken by the bank. He never worked for more than 240 days. He was paid the wages for the days he worked. It is admitted that the second party workman was engaged as and when his services were required as a temporary messenger/godown watchman at the factory premises of the first party's borrowers. He never worked as a watchman/peon. The truth is that the second party workman was engaged as a temporary godown watchman to safeguard the securities of the bank with the borrowers unit having become sick or defaulter of the loans taken by the borrowers. The appointment of the workman was not continuous and it was for a selected period as and when need arises. The allegation of the termination of the workman w.e.f. 13.05.1993 is misconceived basis and denied. It was wrong to say that his termination order was illegal, improper, unlawful and also against the principles of natural justice. It is further submitted that the first party bank took a policy decision to the fact that all the vacancies identified as on 31.12.1994 ought to be filled up by 31.03.1997 out of the existing panel of temporary and casual employees of the first party as per the settlement reached between the management and the employees, thereafter, the panel will stands left. Therefore, the termination order of the watchman/workman was neither arbitrary nor discriminatory as alleged by the workman as his services were terminated after the panel became left. It is denied that his services were terminated without any notice and violating the provisions of the Section 25 F, G and H of the I.D. Act.

3. It is further submitted that the workman was engaged on a temporary full time basis from 04.08.1992 to 31.03.1998 and he worked for 179 days. It is wrong to say that the junior employees have been given appointment. The panel/waiting list prepared after reaching a settlement between the first party and the employees, had to be in effect up to 31.12.1992 which was extended from time to time till 31.03.1997 and the list was based on the maximum number of working days of temporary employees in the descending order. This second party workman was at Sr. No. 16 in the waiting list, accordingly he was called on 16.02.1996 for discussion/personal interview by Assistant General Manager (Office Administration Department), LHO but he did not recall for interview within reasonable time, therefore, his candidature was cancelled duly communicated to the workman by registered post. As the workman was on a contracted period, therefore, his services were terminated after a contracted period. Thus the demand and prayer of the workman is unjust, illegal, and improper and also against the recruitment rules of the bank and same are liable to be rejected.

4. The first party submitted the documents vide list Ex. 14 which are admitted by the second party workman. The second party submitted the documents vide list Ex. 15 which are also admitted by the first party.

5. On the basis of the pleadings of the parties, the following issues arise:

- a. Whether the action of the management of State Bank of India in terminating the service of Shri Gurjeetsing D. Multani w.e.f. 13.05.1993 and not considering for regular employment is justified?
- b. If not to what relief, if any, the concerned workman is entitled to?

6. **Issue No. (i):** The burden to prove this issue was on the second party workman Gurjeetsing D. Multani who was examined vide document Ex. 16 wherein he has reiterated the averments made in the statement of claim Ex. 3 and in his cross-examination, he has stated that he has submitted the documents Annexure 17/6 which is admitted by the first party rather first party has also filed the same documents vide Ex. 25/3 including list of 198 wait listed candidates (prepared in terms of State Bank of India Circular No. PER:IR:18:88 dated 25.04.1988) wherein this workman Gurjeetsing D. Multani has been shown at Sr. No. 16. This aforesaid documents filed by the first party is admitted by the second party workman.

7. The first party witness PinakinChandrashekhar Pandya who was examined vide Paper No. 26 has admitted that the aforesaid list was prepared by the first party bank and employees from Sr. No. 1 to 35 were absorbed till the execution of this list on 31.02.1997, thereafter, the list was lapsed and deemed cancelled. He has also stated in his examination that this workman was informed through call letters to resume duties as being at the Sr. No. 16 of the aforesaid list but the first party bank has not submitted any proof regarding issuance of call letter to this workman to resume duties. Though the advocate of the first party has admitted the documents Ex. 20 to 29 filed by the second party and the document Ex. 20 relates to issue call letter to the workman to appear for interview on 09.08.1989 at 03:00 PM and the papers no. Ex. 21 to 28 relate to the memorandum issued by the first party bank to the second party workman regarding his working days from 31.08.1992 to 12.05.1993 and paper no. Ex. 29 relates to the certificate issued by the first party bank regarding 192 working days during 1992-93. Thus from the evidence and admittance of the first party witness, it is fully established that this workman was engaged by the bank for the period alleged by the workman.

8. Now the main question arises as to whether the workman was informed to resume duties being at Sr. No. 16 of the waiting list prepared by the first party bank by way of oral or written letter. The aforesaid first party witness in his examination has stated that this workman was informed to resume duty but the first party has not submitted any document which may establish that he was issued appointment letter and same was served on him.

9. The advocate of the first party referred Delhi Cloth and General Mills Company Ltd. V/s their workmen 1967 (1) LLJ 423 SC wherein the Supreme Court has held that the Industrial Tribunal cannot widen the scope of the inquiry beyond the terms of reference. This judgement has no applicability in this case because the tribunal has transgressed the scope of the reference because the question of issuance of joining letter is within the scope of the reference because the workman was interviewed as per the advertisement of the bank and shortlisting as a wait listed candidate and appointing wait listed candidates at Sr. No. 1 to 35 excluding the workman at Sr. No. 16 instead of appointing him, he was removed even as short term period employee.

10. The first party also referred Nandkumar V/s State of Bihar 2014 (5) SC (C)300 wherein the apex court has held that the appellant daily wagers were never appointed through a proper procedure and hence, are not appointees in the strict sense of the term "appointment". They do not hold a post. The scheme of alternative appointment framed for regular employees of abolished organisation cannot, therefore, confer a similar entitlement on the daily wagers of abolished organisation to such alternative employment. Appointment on daily wage basis is not an appointment to a post according to the rules. Usually, the projects in which the daily wagers were engaged, having come to an end, their appointment is necessarily terminated for want of work. Therefore, the status and rights of daily wagers of a government concern are not equivalent to that of a government servant and his claim to permanency has to be adjudged differently. Their claim to regularisation/absorption is not a matter of course. Besides, the consequences of temporary appointment were within their knowledge. Thus, they cannot even have a right to invoke the theory of legitimate expectation for being confirmed in the post. This judgement is also not applicable as discussed above.

11. He has further referred S.S. Balu V/s State of Kerala 2009 (122) FLR 54 wherein the apex court has held that a person does not acquire legal right to be appointed only because his name appears in the select list and it is a well settled law that delay defeats equity. It is again not applicable because the first party bank has admitted that this workman was as per the procedure of recruitment was short listed at wait list 16 and workman from Sr. No. 1 to 35 were given appointment but the first party bank has failed to establish that this workman was issued call letter and asked to join.

12. He has further referred State of Karnataka V/s Ravi Kumar 2009 Law Suite SC 1960 wherein the apex court has held that if the services of a workman were discontinued without any written order and if he did not protest or challenge the alleged termination then he cannot be granted any relief. It is noteworthy that the workman raised the dispute immediately after lapse of the aforesaid short list/waiting list on 31.02.1997 immediately as the reference sent by the Government of India, Ministry of Labour dates 28.08.1998. Thus this argument is not tenable.

13. He further referred M. Venugopal V/s Life Insurance Corporation of India 1994 (1) CLR 544 wherein the apex court has held that the confirmation of a development officer appointed on probation depends upon his satisfactory probation and compliance of conditions set out in a letter of his appointment in case of unsatisfactory service, the provisions of Section 25 F would not be attracted and his termination will not be covered by Clause (b)(b) of Section 2 of the I.D. Act and as such the termination would not be amount to retrenchment. This judgement is not applicable as the facts are not similar.

14. He further referred G.E.V. Substituted as Gujarat State Electricity Corporation V/s Harish Kumar N. Bosamia 2005 Gujarat Law (55) Gujarat Law Reporter 2277 wherein the Gujarat High Court has held that discontinuation of a workman on the expiry of contract period will not be said to be retrenchment even if he continues in

service by successive orders of fixed period and such discontinuation of workman will stand covered under Section 2 (oo)(bb) of the I.D. Act. This judgement is also not applicable as the facts are not similar.

15. He has also referred Prabhakar V/s Joint Director, Sericulture Department 2015 Volume III CLR 937 wherein the apex court has held that it is a well settled principle of jurisprudence that a right not exercise for a long time becomes non-existence. Doctrine of laches is in fact an application of maxim of equity “delay defeats equity”. This maxim is not applicable in this case because the first party has admitted the documents of the second party workman admitted by Paper No. Ex. 21 to 29 that the workman worked till November 1993 and the first party witness as well as the first party in his written statement has admitted that this workman was short listed at Sr. No. 16 in the list prepared for appointment and he was also asked to join but the evidence has not been adduced in this regard and the whole record reveals that denial of employment after the lapse of the list, workman raised the dispute before the Labour Enforcement.

16. Thus in the light of the aforesaid discussions, evidence of both the parties and judgement referred, I come to the conclusion that this workman was eligible to be appointed as a regular employee after the preparation of the aforesaid wait list Ex. 14/1 and the first party has failed to prove that the workman himself refused to join in the absence of the documentary evidence to be produced by of the first party. This this issue is decided in negative against the first party and in the favour of the second party.

17. **Issue No. (ii):** In the light of the findings given in the Issue No. (i), the second party workman is very much entitled to be appointed being at Sr. No. 16 of the list. The only question arises as to whether the workman is entitled for back wages or not. No evidence has been given by the workman as to whether he remained unemployed or not and the first party has not cross-examined on this point. The burden was lying on the workman; therefore, it would be just that he may not be paid back wages on the principle of ‘no work no pay’.

18. The first party has referred Prabhakar Trimbam Vidwans V/s Stobec Industry Ltd. 2010 (3) Gujarat Law Reporter 2310 wherein the Gujarat High Court has held that lump-sum compensation in due of back wages and retirement benefits where workman retired from the job for more than 5 year from date of termination till the date of superannuation is not automatic. The workman is required to prove by tradable evidences that he did make sincere efforts to get employment during interim period.

19. Thus in the light of the aforesaid discussions, this issue no. (ii) is decided that the second party workman will be appointed as per the wait list Ex. 14/1 or Ex. 18/3 within 60 days from the publication of the award but he will not be entitled for any back wages.

20. The award is passed accordingly.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2017

का.आ. 2642.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 54/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09.11.2017 को प्राप्त हुआ था।

[सं. एल-41012/35/97-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 9th November, 2017

S.O. 2642.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 54/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 09.11.2017.

[No. L-41012/35/97-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD****Present :**

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 12th October, 2017

Reference: (CGITA) No. 54/2004

The Divisional Railway Manager,
Western Railway,
Divisional Office, Kothi Compound,
Rajkot (Gujarat)

...First Party

V/s

The Divisional Secretary,
Paschim Railway Karmachari Parishad,
209/E, Sarvottam Nagar, Near Railway Colony,
Sabarmati,
Ahmedabad (Gujarat)

...Second Party

For the First Party : Shri H.B. Shah

For the Second Party : Shri B.K. Sharma

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41012/35/97-IR(B-I) dated 08.10.1997 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the Divisional Railway Manager, Rajkot in terminating the services of the workman Shri Keshaji S. Sr. Cleaner with effect from 18.02.1993 is legal and justified? If not, to what relief the concerned workman is entitled to?”

1. The reference dates back to 08.10.1997. The second party submitted the statement of claim Ex. 3 on 27.01.1998 while pending the matter before the Industrial Tribunal Central, Ahmedabad. The first party Divisional Railway Manager, Western Railway, Rajkot submitted the written statement Ex. 4 there on 10.08.1998. Later on, vide Government of India order dated 19.10.2010; the record was received in this tribunal on 17.01.2011. Shri Janak R. Pandya advocate submitted the vakalatpatra Ex. 19 on behalf of the first party. After receiving the record, fresh notice was issued to both the parties on 04.03.2011 to appear on 18.04.2011 but none appeared on behalf of the first party Divisional Railway Manager, Western Railway, Rajkot. Shri B.K. Sharma, on behalf of the second party, informed the tribunal that the workman has expired but none came forward on behalf of the workman to get substituted legal heirs of the deceased workman and today on 12.10.2017, Shri B.K. Sharma on behalf of the second party union requested to withdraw the reference.

2. Thus the reference is finally disposed of as withdrawn.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2017

का.आ. 2643.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 46/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09.11.2017 को प्राप्त हुआ था।

[सं. एल-41011/14/95-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 9th November, 2017

S.O. 2643.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 46/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 09.11.2017.

[No. L-41011/14/95-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 29th September, 2017

Reference: (CGITA) No. 46/2004

1. The Chief Engineer,
Western Railway,
1st Floor, Station Building,
Ahmedabad (Gujarat)

2. The Divisional Railway Manager,
Western Railway,
Kothi Compound,
Rajkot (Gujarat)

...First Party

V/s

The Divisional Secretary,
Paschim Railway Karmachari Parishad,
209/E, Sorvottam Nagar, Near New Railway Colony,
Sabarmati,
Ahmedabad (Gujarat) – 382472

...Second Party

For the First Party : Shri H.R. Raval

For the Second Party : Shri R.S. Sisodia (Union Representative)

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/14/95-IR(B-I) dated 21.02.1997 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the union regarding temporary status revision from a retrospective date if due and the payment of dues/arrears, if any, in consequent upon such revision of temporary status from the retrospective date in respect of 38 workmen working under various units of Western Railway is justified and proper? If so, to what relief, these 38 workmen are entitled for and from which date and what directions are necessary in the matter?”

1. The reference dates back to 21.02.1997. Both the parties submitted their statement of claim Ex. 3 and written statement Ex. 5 respectively.

2. The case was listed for hearing on preliminary objections but today on 29.09.2017, Shri R.S. Sisodia, on behalf of the second party union Paschim Railway Karmachari Parishad stated in writing that he does not want to proceed the case.

3. Thus the reference is finally disposed of as withdrawn.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2017

का.आ. 2644.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार स्टेट बैंक ऑफ सौराष्ट्र के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 1475/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09.11.2017 को प्राप्त हुआ था।

[सं. एल-12012/166/2004-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 9th November, 2017

S.O. 2644.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 1475/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of State Bank of Saurashtra and their workmen, received by the Central Government on 09.11.2017.

[No. L-12012/166/2004-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 11th October, 2017

Reference: (CGITA) No. 1475/2004

1. The General Manager,
State Bank of Saurashtra,
Head Office, Neelumbaug,
Bhavnagar (Gujarat) – 364001
2. The Branch Manager,
State Bank of Saurashtra,
Main Bazar, Opp. Darbargadh,
Palitana, Bhavnagar (Gujarat)

...First Party

V/s

Shri Dharmesh S. Rathod,
Mamani Sipar, Opp. Derasar, Palitana,
Bhavnagar (Gujarat)

...Second Party

For the First Party : Shri B.M. Joshi

For the Second Party : Shri N. U. Bhatt

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-12012/166/2004-IR(B-I) dated 16.11.2004 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of Shri Dharmesh S. Rathod for reinstatement with full back wages and continuity of service w.e.f. 18.11.2001 by the management of General Manager, State Bank of Saurashtra, Bhavnagar and another on the grounds of his termination without following provisions of Section 25 F of the I.D. Act, 1947 is justified and legal? If so, to what relief the workman is entitled to?”

1. The reference dates back to 16.11.2004. After service of the notice, both the parties submitted the vakalatpatra of their advocates for number of times and the second party submitted the statement of claim Ex. 7 on 03.12.2008. The first party also submitted the written statement Ex. 15 on 19.04.2013. Since then the second party has failed to lead evidence. It is also noteworthy that after submitting the statement of claim by the second party, the second party did not appear despite sending him the copy of the written statement by registered post on 22.10.2016.
2. Thus it appears that the second party workman is not willing to prosecute the case.
3. Therefore, the reference is disposed of in the absence of the evidence of the second party workman with the observation as under: “the demand of Shri Dharmesh S. Rathod for reinstatement with full back wages and continuity of service w.e.f. 18.11.2001 by the management of General Manager, State Bank of Saurashtra, Bhavnagar and another on the grounds of his termination without following provisions of Section 25 F of the I.D. Act, 1947 is unjustified and illegal.”

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2017

का.आ. 2645.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार आईडीबीआई स्टेट बैंक लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 17/2015) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09.11.2017 को प्राप्त हुआ था।

[सं. एल-12011/19/2015-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 9th November, 2017

S.O. 2645.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 17/2015) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of IDBI Bank Ltd. and their workmen, received by the Central Government on 09.11.2017.

[No. L-12011/19/2015-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD**

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 11th October, 2017

Reference: (CGITA) No. 17/2015

The Chief General Manager,
IDBI Bank Ltd.,
C.G. Road,
Ahmedabad (Gujarat) – 380009

...First Party

V/s

The Vice President,
IDBI Bank Ltd. Contract Workers' Union,
C/o IDBI Workers Union, IDBI Bank,
Road Branch
Ahmedabad (Gujarat) – 380019

...Second Party

For the First Party : Shri Priyank P. Zaveri

For the Second Party : Shri K.R. Mishra

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-12011/19/2015-IR(B-I) dated 13.03.2015 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of IDBI Bank Ltd., Regional Office, Ahmedabad, Gujarat in not regularizing the services of 167 contract labourers working in IDBI Bank different units in Gujarat for last 18 years and above is legal and justified? If not, what relief these 167 contract labourers are entitled to?”

1. The reference dates back to 13.03.2015. After serving of notice to the parties, the second party union IDBI Bank Ltd. Contract Workers' Union, C/o IDBI Workers Union submitted the statement of claim Ex. 4 along with the list of documents and application of interim relief Ex. 5 on 25.09.2015. The first party submitted the written statement Ex. 14 along with the reply Ex. 17 to the interim application Ex. 5 on 04.11.2015.
2. It is noteworthy that on 04.11.2015, after hearing of both the parties on the interim application Ex. 5 and the reply of the workmen' union, the application Ex. 5 was rejected as not maintainable. However, the first party IDBI Bank was directed that in case of removal of employment contract, new contractor may be persuaded to engage the services of the present workman under a contract with the bank, if any. Thereafter, the case was fixed for evidence of the second party to be given on 08.12.2016. Instead of giving evidence, the workmen' union again moved an application Ex. 19 for interim relief to direct the bank to engage the workmen till the final disposal of the reference, same was rejected on 08.12.2016.
3. Thereafter, the second party union was directed to lead evidence on 12.01.2017 but failed to lead evidence on 12.01.2017, 09.03.2017, 27.04.2017 and 10.08.2017. Today on 11.10.2017, like as on aforesaid dates, the second party union or their workmen are absent to lead evidence.
4. Thus it appears that the second party union or its workmen are not willing to prosecute the case.
5. Therefore, the reference is disposed of in the absence of the evidence of the second party union or its workmen with the observation as under: “the action of IDBI Bank Ltd., Regional Office, Ahmedabad, Gujarat in not regularizing the services of 167 contract labourers working in IDBI Bank different units in Gujarat for last 18 years and above is legal and justified.”

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2017

का.आ. 2646.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 431/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09.11.2017 को प्राप्त हुआ था।

[सं. एल-12012/307/2001-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 9th November, 2017

S.O. 2646.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 431/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen, received by the Central Government on 09.11.2017.

[No. L-12012/307/2001-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD****Present :**

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 10th October, 2017

Reference: (CGITA) No. 431/2004

1. The Branch Manager,
State Bank of India,
Gandhinagar (Gujarat)
2. The Regional Manager,
State Bank of India,
Zonal Office,
Gandhinagar (Gujarat)

...First Party

V/s

Shri Jaswant V. Makwana,
45-B, TheMayur Co-operative Housing Society,
Railway Station (E),
Kalol(Gujarat) – 382721

...Second Party

For the First Party : Shri B.M. Joshi

For the Second Party : Shri Gordhan Prajapati

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-12012/307/2001-IR(B-I) dated 21.11.2001 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of State Bank of India Regional Office, Gandhinagar in discontinuing the service of Shri Jaswant V. Makwana, Wait listed workman at Sl. No. 223 w.e.f. 18.03.1995 and not giving permanent absorption in the bank is legal and justified? If not then to what relief the concerned workman is entitled and from which date?”

1. The reference dates back to 21.11.2001. The second party submitted the statement of claim Ex. 9 on 29.09.2002 before the Industrial Tribunal Central, Gujarat along with the authorisation certificate Ex. 7 in favour of Nalim U. Bhatt, Ganesh R. Vyas and Govind R. Parikh by the second party union. The first party submitted the written statement Ex. 17 on 12.09.2003. The second party also submitted the number of documents vide list Ex. 19 on 13.09.2004. Since then the second party failed to lead evidence before the Industrial Tribunal Central, Gujarat.
2. The matter was transferred to this tribunal vide Government of India dated 01.11.2010. In response to the transfer order to this tribunal, both the parties appeared but did not prefer to lead evidence despite giving dozens of opportunities.
3. Thus it appears that the second party workman is not willing to prosecute the case.
4. Therefore, the reference in the absence of the evidence of the second party workman, is disposed of with the observation as under: “the action of the management of State Bank of India Regional Office, Gandhinagar in discontinuing the service of Shri Jaswant V. Makwana, Wait listed workman at Sl. No. 223 w.e.f. 18.03.1995 and not giving permanent absorption in the bank is legal and justified.”

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2017

का.आ. 2647.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 122/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09.11.2017 को प्राप्त हुआ था।

[सं. एल-41011/20/2009-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 9th November, 2017

S.O. 2647.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 122/2010) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 09.11.2017.

[No. L-41011/20/2009-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD****Present :**

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 29th September, 2017

Reference: (CGITA) No. 122/2010

1. The Divisional Railway Manager,
Western Railway,
Kothi Compound,
Rajkot (Gujarat)
2. The Asst. Divisional Engineer,
Western Railway,
Surendranagar (Gujarat)

...First Party

V/s

The General Secretary,
Paschim Railway Karmachari Parishad,
28/B, Narayan Park, Chandkheda,
Ahmedabad (Gujarat) – 382472

...Second Party

For the First Party : Shri H.B. Shah

For the Second Party : Shri R.S. Sisodia (Union Representative)

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/20/2009-IR(B-I) dated 17.07.2009 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of Paschim Railway Karmachari Parishad, Ahmedabad for giving employment to Shri Usman Ahmed from 2005 with back wages by the Divisional Railway Manager, Western Railway,

Rajkot/Asstt. Divisional Engineer, Western Railway, Surendernagar, is valid and justified? If yes, what relief he is entitled to?"

1. The reference dates back to 17.07.2009. The second party submitted the statement of claim Ex. 4 alleging that the union earlier raised an Industrial Dispute to regularise the casual labourers working in the department and the appropriated government has referred the aforesaid dispute before the Industrial Tribunal at Ahmedabad. The reference was adjudicated and the Industrial Tribunal has rejected the reference seeking regularisation of the casual labourers only on the ground that the workmen involved in the present reference have already been regularised and they are working as regular employee in the department and therefore, question does not arise to pass an order directing the first party employer to regularize the services of the workmen. Accordingly, the reference was rejected by the Industrial Tribunal.
2. It is further alleged by the second party that the second party workmen have challenged the aforesaid order and judgement passed by the Industrial Tribunal rejecting the reference of regularisation before the High Court of Gujarat by filling SCA No. 5567/04. The Hon'ble High Court of Gujarat by way of interim order dated 02.02.2005 directed the first party employer to reinstate the second party workmen on their original post in compliance of the order passed by the Hon'ble High Court of Gujarat by interim order dated 02.02.2005. The workmen involved in the original petition were reinstated at their original post but the workmen namely Shri Usman Ahmed has not been reinstated though the other 9 workmen involved in the petition have been reinstated and Shri Usman Ahmed has not been reinstated on his original post as per the direction given by the Hon'ble High Court of Gujarat. The second party workman has repeatedly visited in the office of first party employer in Engineering Department of Rajkot Division for resuming his duty as per the direction of the High Court of Gujarat but the Divisional Manager (E), Rajkot has not permitted him to resume his duties and under one or other pretext he did not permit him to resume his duty. Thereafter, all of a sudden the first party employer has passed an order dated 25.06.2002 removing the workman from service.
3. It is further alleged by the second party that though the second party workman has persistently approached to the first party employer to resume his duty at Rajkot Division as per the direction of the High Court of Gujarat but he was never permitted to resume his duty. It is respectively submitted that before passing any order removing from service the first party employer has not given him any so-cause notice about unauthorised absence. No inquiry was conducted. No opportunity of hearing was given to the workman and in absence of legal mandatory provisions laid down under the I.D. Act, 1947, the services of the second party workman was illegally and arbitrarily terminated by the first party employer. Therefore, the workman is entitled for reinstatement with continuity of service with full back wages.
4. It is further alleged by the second party that the second party workman has put in more than 25 years continuous and uninterrupted service during the tenure of his service. No show-cause notice or memo about his performance was ever given to him. Thus, the second party workman is having unblemished service record. The second party workman has completed more than 240 days in each calendar year. It is pertinent to state here that even before terminating the services of the second party workman, the workman has completed 240 days in last 12 preceding months and thus at the time of terminating his services, the first party employer has not complied with the mandatory provisions of Section 25 F of the I.D. Act, 1947. Junior workmen are working in the employment. Therefore, the second party workman is entitled for reinstatement on his original post with continuity of service.
5. It is further alleged by the second party that at present the second party workman is not gainfully employed, nor getting any wages or remuneration from any source of income and thus the second party workman is totally employed and not in a position to secure any alternative employment. The second party workman is residing in joint family, his parents and elder brothers are help the workmen for his maintenance and therefore, the second party workman is entitled for full back wages from the date of his termination till date.
6. It is further alleged by the second party that the first party employer without giving any opportunity of hearing terminated the services of the second party workman. At the time of termination, no notice or notice pay or the retrenchment compensation has been paid to the second party workman and therefore, the workman is entitled for reinstatement with continuity of service and full back wages.
7. It is further alleged by the second party that the second party workman has put in more than 25 years of service. Looking to the period of service, the workman is entitled for regularisation though the Industrial Tribunal has in earlier proceeding wherein the second party workman has raised dispute to regularise the casual labours, the tribunal has rejected the said reference on the ground of misconception as if the regularisation has already been granted to the workman. In fact the benefit of regularisation has never been granted to the second party workman. Therefore, the workman has preferred SCA No. 5567/04 wherein the Hon'ble High Court of Gujarat by way of interim order, directed the first party Railway to reinstate all the workmen on their original post. It is respectively submitted that this is the second round of litigation where the workmen have been denied of their right of reinstatement. It is further alleged that the Industrial Dispute has rejected the dispute about regularisation of casual labourer. The tribunal has never passed

order to terminate the services of the workmen despite the first party employer has adopted the hostile attitude and terminated the services of all the workmen, but due to the intervention of the High Court of Gujarat and as per the order dated 02.02.2005, all other nine workmen have been reinstated on their original post but the second party workman has not been reinstated without any reason. Therefore, the workman is entitled for reinstatement on original post with continuity of service.

8. It is also alleged by the second party that the second party workman has strong objection under Section 36 of the I.D. Act, 1947 against the appearance of an advocate in the present case. Therefore, the Hon'ble Tribunal may not permit any advocate to appear in the present proceeding. In view of the above facts and circumstances of the case, it is prayed that the Hon'ble Tribunal may be kind enough to reinstate the second party workman Shri Usman Ahmed from 2005 with full back wages and continuity of service on his original post.

9. The first party despite service and filing of vakalatpatra of his advocate, did not prefer to submit the written statement, therefore, on 21.10.2016, the reference was ordered to proceed ex-parte against the first party.

10. After giving 4 opportunities on 20.01.2017, 10.03.2017, 27.04.2017, 11.08.2017 and 29.09.2017, the second party failed to lead evidence.

11. It is noteworthy that the statement of claim itself reveals that the second party workmen have challenged the aforesaid order and judgement passed by the Industrial Tribunal rejecting the reference of regularisation before the High Court of Gujarat by filing SCA No. 5567/04. The Hon'ble High Court of Gujarat by way of interim order dated 02.02.2005 directed the first party employer to reinstate the second party workmen on their original post in compliance of the order passed by the Hon'ble High Court of Gujarat by interim order dated 02.02.2005. The workmen involved in the original petition were reinstated at their original post but the workmen namely Shri Usman Ahmed has not been reinstated though the other 9 workmen involved in the petition have been reinstated and Shri Usman Ahmed has not been reinstated on his original post as per the direction given by the Hon'ble High Court of Gujarat. The second party workman has repeatedly visited in the office of first party employer in Engineering Department of Rajkot Division for resuming his duty as per the direction of the High Court of Gujarat but the Divisional Manager (E), Rajkot has not permitted him to resume his duties and under one or other pretext he did not permit him to resume his duty. Thereafter, all of a sudden the first party employer has passed an order dated 25.06.2002 removing the workman from service. The second party workman has persistently approached to the first party employer to resume his duty at Rajkot Division as per the direction of the High Court of Gujarat but he was never permitted to resume his duty. Thus the aforesaid averments made in the statement of claim discloses that the matter is still pending in the High Court and if the workman was not permitted to resume the duty, it was obvious for him to approach the High Court in the aforesaid SCA No. 5567/04 for moving contempt against the errant authorities. As it has not been done and the present reference is the misuse of the judicial process.

12. Thus the reference is not maintainable and the reference is finally disposed of as not maintainable.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2017

का.आ. 2648.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 409/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09.11.2017 को प्राप्त हुआ था।

[सं. एल-12012/32/2001-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 9th November, 2017

S.O. 2648.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 409/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen, received by the Central Government on 09.11.2017.

[No. L-12012/32/2001-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD****Present :**

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 10th October, 2017

Reference: (CGITA) No. 409/2004

1. The Regional Manager,
State Bank of India,
Gandhinagar Region,
Gandhinagar (Gujarat)
2. The Branch Manager,
State Bank of India,
Unjha Branch, Unjha,
Mehsana (Gujarat)

...First Party

V/s

Smt. Induben M. Joshi,
Brahmin Chawk, Opp. Mill Ghanti,
Bhatni Khadki, Unjha,
Mehsana (Gujarat)

...Second Party

For the First Party : Shri B.M. Joshi

For the Second Party : Shri H.I. Patel

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-12012/32/2001-IR(B-I) dated 03.09.2001 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of State Bank of India Regional Office, Gandhinagar in terminating Smt. Induben M. Joshi from the service of the Bank w.e.f. 01.02.2000 without observing the provision of Section 25 F, G and H of the Industrial Dispute Act, 1947 is justified? If not, what relief the concerned employee is entitled?”

1. The reference dates back to 03.09.2001. The second party submitted the statement of claim Ex. 5 along with the vakalatpatra Ex. 4 on 11.01.2002.
2. The first party submitted the written statement Ex. 11 along with the vakalatpatra on 22.07.2003. The matter was transferred to this tribunal vide Government of India dated 01.11.2010. In response to the transfer of reference to this tribunal, both the parties appeared on 11.01.2012 to their learned advocates. But since then the second party did not lead his evidence. Thus it appears that the second party workman is not willing to prosecute the case.
3. Therefore, the reference in the absence of the evidence of the second party workman, is disposed of with the observation as under: “the action of the management of State Bank of India Regional Office, Gandhinagar in terminating Smt. Induben M. Joshi from the service of the Bank w.e.f. 01.02.2000 without observing the provision of Section 25 F, G and H of the Industrial Dispute Act, 1947 is justified.”

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2017

का.आ. 2649.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बॉम्बे मर्केण्टाइल को-ऑपरेटिव बैंक लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 118/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09.11.2017 को प्राप्त हुआ था।

[सं. एल-12012/193/2005-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 9th November, 2017

S.O. 2649.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 118/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Bombay Mercantile Co-Operative Bank Ltd. and their workmen, received by the Central Government on 09.11.2017.

[No. L-12012/193/2005-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD****Present :**

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 27th September, 2017

Reference: (CGITA) No. 118/2005

The Assistant General Manager,
Bombay Mercantile Co-operative Bank Ltd.,
Khanpur,
Ahmedabad (Gujarat)

First Party

V/s

Shri Salim Asgerali Sulemani,
7, Sterling Centre, Near Cama Hotel,
Khanpur,
Ahmedabad (Gujarat)

...Second Party

For the First Party : Shri N.M. Shah

For the Second Party : Shri A.N. Patel

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-12012/193/2005-IR(B-I) dated 28.11.2005 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of Bombay Mercantile Co-operative Bank Ltd., by awarding the punishment of dismissal to Shri Salim Asgerali Sulemani from the post of Clerk from its Relief Road Branch, Ahmedabad with effect from 19.04.2004 is legal and justified? If not, what relief the workman is entitled to and to what extent?”

1. The reference dates back to 28.11.2005. The second party submitted the statement of claim Ex. 5 on 25.06.2007 along with the number of documents.

2. The first party submitted the vakalatpatra Ex. 4 of his advocate Nilesh M. Shah on 25.01.2007 and written statement Ex. 10 on 26.06.2009 along with number of documents vide list Ex. 11.
3. Since then the second party has been absent and failed to lead his evidence despite giving dozens of opportunities. On 25.01.2017, 15.03.2017, 08.05.2017 and 30.08.2017, in the absence of the second party, aforesaid last opportunities were given to the second party but to no result.
4. Thus it appears that the second party workman is not willing to prosecute the case.
5. Therefore, the reference is disposed of in the absence of the evidence of the second party workman with the observation as under: “the action of the management of Bombay Mercantile Co-operative Bank Ltd., by awarding the punishment of dismissal to Shri Salim Asgerali Sulemani from the post of Clerk from its Relief Road Branch, Ahmedabad with effect from 19.04.2004 is legal and justified.”

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 10 नवम्बर, 2017

का.आ. 2650.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 77/2014) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.11.2017 को प्राप्त हुआ था।

[सं. एल-41011/58/2014-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 10th November, 2017

S.O. 2650.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 77/2014) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 10.11.2017.

[No. L-41011/58/2014-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 13th October, 2017

Reference: (CGITA) No. 77/2014

The Divisional Railway Manager,
Western Railway,
Pratapnagar,
Baroda (Gujarat) – 390004

...First Party

V/s

The President,
Paschim Railway Karmachari Parishad,
D/29, Anandnagar Near Science College,
Godhra (Gujarat) – 389001

...Second Party

For the First Party : None

For the Second Party : None

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/58/2014-IR(B-I) dated 13.08.2014 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the union to grant the suitable compassionate allowance to Shri BudhaVala, Ex-Khalasi, who was removed from service on 01.09.1999, is legal, proper and just? If so, to what relief the concerned workman is entitled to?”

1. The reference dates back to 13.08.2014. Despite service of notice on both the parties, the second party has been absent and did not prefer to submit the statement of claim despite giving on 23.06.2016, 18.11.2016, 10.02.2017, 21.04.2017, 11.08.2017 and today on 13.10.2017.
2. Therefore, it appears that the second party has not been willing to prosecute the case.
3. Thus the reference is disposed of in the absence of the second party with the observation as under: “the demand of the union to grant the suitable compassionate allowance to Shri BudhaVala, Ex-Khalasi, who was removed from service on 01.09.1999, is illegal, improper and unjust.”

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 10 नवम्बर, 2017

का.आ. 2651.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 720/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.11.2017 को प्राप्त हुआ था।

[सं. एल-41012/52/2000-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 10th November, 2017

S.O. 2651.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 720/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 10.11.2017.

[No. L-41012/52/2000-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD**

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 12th October, 2017

Reference: (CGITA) No. 720/2004

The Divisional Railway Manager,
Western Railway,
Pratapnagar,
Baroda (Gujarat)

...First Party

V/s

The Divisional General Secretary,
Paschim Railway Karmachari Parishad,
Shastri Pole Kothi,
Baroda (Gujarat)

...Second Party

For the First Party : None

For the Second Party : Shri B.K. Sharma

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41012/52/2000-IR(B-I) dated 08.09.2000 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the union for appointment of Shri Premsingh Balwant S/o Late Shri Balwant Ranchod on compassionate grounds is legal, proper and justified? If so, to what relief Shri Premsingh Balwant is entitled?”

1. The reference dates back to 08.09.2000. The second party submitted the statement of claim Ex. 3 on 14.12.2001 and the first party submitted the written statement Ex. 7 on 25.08.2004 while the matter pending in the Industrial Tribunal, Vadodara. After receiving the record, none responded for the first party. Therefore, a fresh notice Ex. 8 was sent to both the parties to appear on 27.03.2016 but the first party did not prefer to appear for contesting the reference. Today on 12.10.2017, Shri B.K. Sharma on behalf of the second party union requested to withdraw the reference.
2. Thus the reference is finally disposed of as withdrawn.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 10 नवम्बर, 2017

का.आ. 2652.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 160/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.11.2017 को प्राप्त हुआ था।

[सं. एल-41012/41/2012-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 10th November, 2017

S.O. 2652.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 160/2012) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 10.11.2017.

[No. L-41012/41/2012-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD**

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 13th October, 2017

Reference: (CGITA) No. 160/2012

The Divisional Railway Manager,
Western Railway,
Bhavnagar (Gujarat)

...First Party

V/s

Shri C.P. Singh,
T.I. Dhessa, 23, Dharti Bungalow,
Tradog Road,
Chandkheda,
Ahmedabad (Gujarat)

...Second Party

For the First Party : None

For the Second Party : None

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41012/41/2012-IR(B-I) dated 18.10.2012 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule.

SCHEDULE

“Whether the action of the management of the management of Divisional Railway Manager, Western Railway, Bhavnagar in reverting Shri C.P. Singh, TI from the pay scale Rs. 2375-3500/- to the pay scale of Rs. 2000-3200/- is legal and justified? To what relief the workman is entitled?”

1. The reference dates back to 18.10.2012. Both the parties were served vide notice Ex.2 dated 01.01.2013 to appear on 21.05.2013. The second party submitted the statement of claim Ex. 5 on 21.05.2013 along with number of documents. The first party Divisional Railway Manager, Bhavnagar refrained to submit the written statement despite service, therefore, on 19.02.2016, a last opportunity was given to the first party to submit the written statement on 24.04.2016, no written statement was filed. Therefore, on 24.04.2016 the reference was ordered to proceed ex-parte against the first party and the second party was asked to lead evidence on 18.11.2016 but the second party workman has been absent on 18.11.2016, 10.02.2017, 21.04.2017, 11.08.2017 and also today on 13.10.2017 to lead his evidence. Further, the alleged second party workman appears to be traffic Inspector in the Western Railway in the non-revised pay scale of Rs. 2375-3500/- which is a supervisory post and the workmen appears to have been drawing more than Rs. 10000/- as wages. Thus he cannot be said to be a workman within the definition of the I.D. Act.
2. Therefore, it appears that the second party has not been willing to prosecute the case.
3. Thus the reference is disposed of in the absence of the evidence of the second party with the observation as under: “the action of the management of Divisional Railway Manager, Western Railway, Bhavnagar in reverting Shri C.P. Singh, TI from the pay scale Rs. 2375-3500/- to the pay scale of Rs. 2000-3200/- is legal and justified.”

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 10 नवम्बर, 2017

का.आ. 2653.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 73/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.11.2017 को प्राप्त हुआ था।

[सं. एल-41011/50/2010-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 10th November, 2017

S.O. 2653.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 73/2011) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 10.11.2017.

[No. L-41011/50/2010-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD****Present :**

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 06th October, 2017

Reference: (CGITA) No. 73/2011

1. The General Manager,
Western Railway, Churchgate,
Mumbai
2. The Divisional Railway Manager,
Western Railway,
Pratapnagar, Baroda (Gujarat) – 390004
3. The Divisional Personnel Officer,
Western Railway, Pratapnagar,
Baroda

...First Party

V/s

The President,
General Workmen's Union,
Sinduri Mata Devastha, ST Nagar Road, Post Godhra,
Godhra (Gujarat) – 389001

...Second Party

For the First Party : Shri Rajesh Singh

For the Second Party : Shri J.K. Ved (Union Representative)

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/50/2010-IR(B-I) dated 30.09.2011 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the union General Workman's Union for reinstatement of Shri Revashanker Baria and to make him permanent with constitutional benefits from the date of restatement of Grade IV from outside in 2003, is legal and justified? To what relief the union/workman is entitled?”

1. The reference dates back to 30.09.2011. Both the parties submitted the statement of claim Ex. 7 and written statement Ex. 10 respectively. On behalf of the second party, Shri J.K. Ved, The President, General Workmen's Union requested the tribunal to withdraw the case.
2. Therefore, the reference is finally disposed of as withdrawn.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 10 नवम्बर, 2017

का.आ. 2654.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 166/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.11.2017 को प्राप्त हुआ था।

[सं. एल-41011/5/98-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 10th November, 2017

S.O. 2654.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 166/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 10.11.2017.

[No. L-41011/5/98-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD****Present :**

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 12th October, 2017

Reference: (CGITA) No. 166/2004

1. The Divisional Railway Manager,
Western Railway,
Divisional Office, Kothi Compound,
Rajkot (Gujarat)
2. The Asstt. Engineer,
Western Railway,
Kota – 2,
Mehsana (Gujarat)

...First Party

V/s

The Divisional Secretary,
Paschim Railway Karmachari Parishad,
209/E, Sarvottam Nagar, Near Railway Colony,
Sabarmati,
Ahmedabad (Gujarat)

...Second Party

For the First Party : Shri H.B. Shah

For the Second Party : Shri B.K. Sharma

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/5/98-IR(B-I) dated 23.02.1999 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the Paschim Railway Karmachari Parishad that the Project Casual Gangmate be absorbed in open line as Gangmate against 25% quota reserved for them in open line is legal and justified? If yes to what relief the concerned employees who have not been given this benefit are entitled?”

1. The reference dates back to 23.02.1999. On behalf of the second party union, Shri B.K. Sharma submitted the statement of claim Ex. 3 while pending the matter before the Industrial Tribunal Central, Ahmedabad. The first party Divisional Railway Manager, Western Railway, Rajkot submitted the written statement Ex. 6 there on 02.07.2001. Later on Government of India order dated 19.10.2010; the record was received in this tribunal on 17.01.2011. Shri Janak R. Pandya advocate submitted the vakalatpatra Ex. 11 on behalf of the first party. Firstly Janak R. Pandya,

later on Shri H.B. Shah submitted their vakalatpatra Ex. 11 and 12 respectively on behalf of the first party. Despite giving dozens of opportunities, the second party did not lead evidence and today on 12.10.2017, Shri B.K. Sharma on behalf of the second party union requested to withdraw the reference.

2. Thus the reference is finally disposed of as withdrawn.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 10 नवम्बर, 2017

का.आ. 2655.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 24/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.11.2017 को प्राप्त हुआ था।

[सं. एल-41011/85/2010-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 10th November, 2017

S.O. 2655.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 24/2011) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 10.11.2017.

[No. L-41011/85/2010-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 01st September, 2017

Reference: (CGITA) No. 24/2011

1. The Chief Works Manager,
Western Railway,
B.G. Station Building, Kalupur,
Ahmedabad (Gujarat)
2. The Deputy Chief Engineer (C) BOT,
Western Railway, Kalupur,
Ahmedabad (Gujarat)

...First Party

V/s

The President,
Paschim Railway Karmachari Parishad,
28-B, Narayan Park,
B/h Chandkheda Railway Station, Sabarmati,
Ahmedabad (Gujarat) – 380001

...Second Party

For the First Party : Shri N.J. Acharya

For the Second Party : Shri R.S. Sisodia

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/85/2010-IR(B-I) dated 30.03.2011 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the Paschim Railway Karmachari Parishad, Ahmedabad for granting promotion to Shri Hiralal M., Driver, Grade – III to the post of Driver Grade – II at par with his juniors, is legal and justified? To what relief the workman is entitled?”

1. The reference dates back to 30.03.2011. The second party submitted the statement of claim Ex. 3 on 28.07.2011 along with number of documents vide list Ex. 5. The first party did not submit the written statement however submitted some documents vide list Ex. 6.
2. Shri R.S. Sisodia, The President, Paschim Railway Karmachari Parishad, today on 01.09.2017, did not press the reference as an authorised representative.
3. Thus the reference is finally disposed of as not pressed.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 10 नवम्बर, 2017

का.आ. 2656.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 756/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.11.2017 को प्राप्त हुआ था।

[सं. एल-41012/115/2001-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 10th November, 2017

S.O. 2656.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 756/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 10.11.2017.

[No. L-41012/115/2001-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD**

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 06th October, 2017

Reference: (CGITA) No. 756/2004

The Divisional Railway Manager,
Western Railway,
Pratapnagar,
Baroda (Gujarat) – 390004

...First Party

V/s

The Divisional Secretary,
Paschim Railway Karmachari Parishad,
Shastri Pole,
Kothi,
Baroda (Gujarat) – 390001

...Second Party

For the First Party :

For the Second Party : Shri J.K. Ved (Union Representative)

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41012/115/2001-IR(B-I) dated 17.01.2002 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the union for fixation of Shri Faruq Shaikh as ELF Gr. II w.e.f. 01.03.1993 being restructuring post and to pay the arrears according to the existing rule, is justified? If so, what relief the concerned workman is entitled?”

1. The reference dates back to 17.01.2002. Both the parties submitted the statement of claim Ex. 3 and written statement Ex. 6 respectively. On behalf of the second party, Shri J.K. Ved, The President, General Workmen's Union requested to withdraw the case.
2. Therefore, the reference is finally disposed of as withdrawn.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 10 नवम्बर, 2017

का.आ. 2657.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 247/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.11.2017 को प्राप्त हुआ था।

[सं. एल-41012/103/99-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 10th November, 2017

S.O. 2657.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 247/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 10.11.2017.

[No. L-41012/103/99-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 06th October, 2017

Reference: (CGITA) No. 247/2004

1. The Sr. Divisional Mechanical Engineer,
Western Railway, Diesel Shed,
Near Railway Colony,
Sabarmati, Ahmedabad (Gujarat)
2. The Assistant Mechanical Engineer,
Western Railway, Diesel Shed,
Near Railway Colony,
Sabarmati, Ahmedabad (Gujarat)

...First Party

V/s

The President,
Paschim Railway Karmachari Parishad,
E/209, Sarvottam Nagar, Nr. New Railway Colony,
Sabarmati,
Ahmedabad (Gujarat) – 380005

...Second Party

For the First Party : Shri M.M. Makhija

For the Second Party : Shri B.K. Sharma (Union Representative)

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41012/103/99-IR(B-I) dated 23.09.1999 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the railway administration in removing/dismissing from service Shri Visha Kalyan, Ex. Khallasi Helper, Diesel Shed, Sabarmati w.e.f. 07.06.1997 on the alleged charges of misconduct vide charge sheet no. E/308/1/831203 dated 05.08.1996 is legal and justified? If not, to what relief the concern workman is entitled to?”

1. The reference dates back to 23.09.1999. Both the parties submitted their statement of claim and written statement respectively along with documents. The second party workman was also examined on Ex. 11 but today on 06.10.2017, Shri B.K. Sharma, The President, Paschim Railway Karmachari Parishad, requested to withdraw the case.
2. Therefore, the reference is disposed of as withdrawn.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 15 नवम्बर, 2017

का.आ. 2658.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स फूड कारपोरेशन ऑफ इंडिया एवं उनके कर्मचारी के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय नं. 1, धनबाद के पंचाट शिकायत संख्या 9/2015 जो कि (संदर्भ संख्या 138/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.11.2017 को प्राप्त हुआ था।

[सं. एल-22012/170/1996-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 15th November, 2017

S.O. 2658.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Complaint 9 of 2015 Arising out of Award (I.D. No. 138/1997) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Dhanbad as shown in Annexure, in the industrial dispute between the employers in relation to the Food Corporation of India and their workmen, which were received by the Central Government on 08.11.2017.

[No. L-22012/170/1996-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.1), DHANBAD****IN THE MATTER OF A COMPLAINT U/S 33(A) OF I.D ACT, 1947****COMPLAINT NO. 9 of 2015****(Arising out of Ref.No. 138/97)****Ministry order no. 22012/170/96-IR(C-II)**

1. Raymond Dung -Dung, EX- AG III (D), S/O Late Benedict
Dung Dung Village-Gadadharpatty P.O-Bag Dogra,
District- Darjeeling; West Bengal-734014.
2. T.K Majumdar, EX-AG III (D), Dhanbad ...Complainant

Vrs

General Manager (Region)
Food Corporation of India
6,Royd Street, Kolkata, West Bengal ...Opposite party

Present : Sri Ranjan Kumar Saran, Presiding Officer**Appearances :**

For complainants : Shri Vijayendra Kumar, Authorised representative
For opposite party : Shri Uttam Naskar, Manager (Vig), FCI,RO,West Bengal.

State Bihar

Industry :- Food

Dated. 25/09/17

AWARD

1. The instant complaint is filed by the complainant against an order of penalty of removal from service dated 29.04.2010 after holding departmental inquiry by the Opp. Party Both the complainants were removed from the date of service of the punishment order beside denial of pay of suspension period.
2. Complainant was posted at FCI , DO Gaya since December 2002 till removal from their service i.e. 29.04.2010. Removal from service is an alteration in service condition during pendency of reference no. 138/97 as such it was mandatory on the part of the Opp. Party to take permission /approval of the Tribunal but they have neither taken permission nor taken approval as required under 33(1) and 33 (2) of the ID Act 1947,therefore, their removal is illegal in the eye of law and they are entitled to be reinstated in service with all the consequential benefits from the date of punishment.
3. Present dispute is pending in respect of entire workmen of Bihar Region and the same is regarding OTA and both the complainants are also entitled to get OTA as such they are concerned and connected with the pending dispute and the alteration in service condition taken place on 29.4.10 when the dispute was pending. The complaint is filed during 2015 is not relevant. The date of alteration in service condition is relevant and dispute should be pending on the date of alteration in service condition, and for alteration in service condition there is express provision to file a complaint under Sec 33 (A) of the ID Act and accordingly this complaint is filed in this Tribunal.
4. The complainants were posted during 2002 at FCI Depot Jorhang in Gangtok District. But thereafter they were posted at Gaya in Bihar Region during December 2002 under suspension. During 2005 a charge sheet was issued against them regarding shortages of food grain in the Jorhang depot of FCI and domestic inquiry was conducted and both the complainant were removed from the service of the corporation vide order dated 29.4.10 by the OP along with others. When they were posted at FCI, DO Gaya in Bihar their service was under the control of General Manager Region, Patna. After their removal they have filed an appeal but the said appeal was rejected and thereafter a review petition was also filed by the complainant no.1 which was also rejected on 26.9.2014 and being aggrieved and dissatisfied with the order they have decided to file a complaint under Sec 33 A for violation of the Sec. 33 of the ID Act 1947.
5. After notice the Opp. Party appeared and filed their Written Statement. Since the fairness and propriety of inquiry was challenged as such the same was heard on preliminary point and after adducing evidence by both the parties the inquiry was held unfair and improper and the Opp.Party was directed to prove the charges on merit before this Tribunal.

6. Opp.Party has filed document, which has marked as Ext.M-1 to M-8 and the complainant has also filed documents which has been marked Ext. W-1 to W- 12. One witness on merit examined by the Opp.Party whereas one witness on behalf of the workman examined on merit and evidence of one witness Reymond Dung Dung which was adduced during hearing on PP was also allowed to be adopted on merit with the consent of the parties.
7. The case of the workman is they apprehended corruption intimated the District Manager FCI Gangtok regarding their apprehension about shortage in stock in FCI on 23.02.2002 under proper receipt but no action was taken by the management as District Manager was also in link with the depot in charge. Being an AG III (D) which is beginning level clerk the complainant was not allowed to go through the depot record and important depot record was kept in the residence of the depot in charge.
8. That complainant T.K Mazumdar joined at Jorthang depot on 08.02.2002 as AG III (D) and after assessing the stock with other complainant Dung Dung they have apprehended that the stock was not as per the stock account submitted by the in-charge and a complaint was lodged on 23.2.2002 to the District Manager FCI Gangtok but seeing no action on the part of District Manager he proceeded on leave and in the meantime he tried for his transfer and accordingly he was transferred to Jharkhand Region but was not relieved by the depot in charge due to the above complaint.
9. Ultimately the investigation started and shortages was detected during the month of October 2002 by a committee headed by Sukhchand Deputy Manager (Vig) and other and they in their report dated 1.11.2002 recommended action only against Swapan Kr. Kaur, Depot in charge. In their report Ext.W-12 they have stated about the confessional statement given by Sri Swapan Kumar Kar but during the month of December 2002 all the employee posted in Jorthang depot including the complainant were placed under suspension. The Headquarter of the complainant during suspension was fixed under Bihar Region. The said suspension was revoked during 2004 and they were posted at DO, FCI Gaya in Bihar Region.
10. Later on a charge sheet was issued on 26.11.2005 against all including the complainant and inquiry was initiated. During the inquiry it was informed by the complainant to IO that Swapan Kumar Kar has given confessional statement and the investigation was conducted on the basis of a complaint of the complainant as such they should be exonerated from the charges. The complainant has also mentioned the fact regarding their complaint and confessional statement of Sri Swapan Kumar Kar in their defence brief but it was not considered by the IO and both the complainant were held partially guilty on the basis on detraction of Sri Kar from his confessional statement during inquiry. His confessional statement was given during 2002 before the investigating team and detraction was made in 2010 which was after thought but the IO after believing his detraction held the complainant guilty of the charges and thereafter on the basis of IO report all including complainant were removed from the service of the corporation w.e.f. 29.04.2010 and hence this complaints.
11. The case of the Opp. Party is that both the complainant were posted at FSD Jorthang under District Gangtok as AG III (D) and shortage was found there during Oct' 2002 as such they all are equally responsible for the shortages. However the fact regarding posting of Sri Majumdar for a very limited period was admitted by the Opp. Party. The Opp.Party has also admitted that the complaint made by the complainant just after joining at Jorthang.
12. It is further case of the management that this complaint petition is filed during the year 2015 and by that time award of reference no 138/97 was passed by the Tribunal as such the present complaint is not maintainable. The Opp. Party has further said in their WS that during 2002 both the complainants were posted at West Bengal as such this complaint petition is not maintainable.
13. It is further case of the Opp.Party that the complainant is not connected to the pending dispute and payment of OTA is not concerned to the removal from service of the workman. Further case of the Opp. Party is that punishment of removal was passed by disciplinary authority after giving full opportunity to the complainant during domestic inquiry as such it is out of purview of the complaint petition. The complaint is directly filed before this Tribunal without raising any dispute before the ALC/RLC concerned as such prayed for dismissal of the complaint.
14. In response to the aforesaid objection it was submitted by the complainant that they were removed from service w.e.f 29.04.2010 while they were posted under DO Gaya in Bihar Region and the alteration in service condition took place on 29.04.2010 while ref. no 138/97 was pending. Date of filing of complaint during pendency of dispute is not at all required. Date of alteration in service condition should be within the pendency of the dispute is only yard stick for filing complaint under Sec. 33 A of the ID Act. The original dispute is pending regarding OTA and the complainant is also entitle to get OTA as such both the complainant are concerned with pending dispute and even if the punishment is not connected with the pending dispute then in that case also provision of Sec 33 (2) b, is attracted and approval of the action taken was mandatory on the part of the Opp. Party but admittedly they have not obtained permission/approval as such the punishment is illegal on this ground alone.

15. If the punishment /alteration of service condition is connected to the pending dispute then permission is required under 33 (1) before passing the order of punishment but if the punishment is not connected to the pending dispute then approval was mandatory on the part of the OP as provided in Sec 33 (2) of the ID Act and for both type of violation of Sec 33 there is a express remedy to file a complaint under Sec 33 A of the ID Act 1947 and the complainant has validly filed the complaint before this Tribunal. Since there is express provision as such to get the dispute referred by Govt. of India is not required. The complaint petition has to be adjudicated as a reference as if it is made by the Govt. of India as such the present complaint is legally maintainable.

16. The OP has filed 8 documents in support in their case where as 12 items of document has been filed by the complainant and document of both the parties has been marked exhibits on their consent. Ext. M-1 filed by the Opp.Party is the memorandum dated 26.11.2005, Ext-W-2 is the reply of above memorandum filed by the complainant, Ext-M-3 & M-4 are copy of inquiry report, Ext 5 & M-5/1 are copy of order of punishment order date 29.04.2010, Ext. M-6& M-6/1 are the order of appellate authority rejecting the appeal Ext. M-7 is the order of review petition dated 26.9.14 and ext M-8 is the relevant part of job description. Exhibit W-1 is the letter dated 23.02.2002 written and signed by T K Majumdar complainant regarding shortage of food grain in depot. Ext W-2 is a letter dated 21.10.2002 written and signed by Depot incharge regarding his confession. Ext-W-, 3 is copy of chapter 15 of the storage manual regarding responsibility & duty of employee. Ext W-4 is office order dated 07.02.2002 regarding joining of T. K. Mazumdar in DO, FCI Gangtok, Ext W-5 is joining report of T K Mazumdar. Ext W-6 is an office order 24.4.02 regarding sanction of leave, Ext W-7 is relieving order from Kooch Behar to Gangtok, Ext W-8 is the transfer order dated 1.3.2002 of Sri T K Mazumdar from Gangtok to Bihar region, Ext W-9 & W-10 is the summon of CBI directing to attend CBI office as witness, Ext W-11 is written statement of Depot in charge Sri Kar given to the investing committee during PV of stock and Ext W-12 is the committee report dated 1.12.02 recommending action against depot in charge only.

17. The OP has examined one witness on merit. However two witnesses were also examined by the OP during preliminary hearing regarding fairness of the inquiry. But after hearing the inquiry was held unfair and im-proper and Op was directed to prove the charges afresh against the complainant before this Tribunal and accordingly one witness was examined by the OP on merit and he is MW-3. He has stated in his written deposition about the fact related to inquiry and said that during inquiry charges were proved and enquiry was fair and proper. During cross examination he has said that depot in charge told that he committed all mischief but subsequently he backed out. He has further said that concrete proof of shortage was not there. Custodian was Mr Kar. He has further said that he was not there at the time of occurrence.

18. The complainant has examined two witness on the point of fairness of enquiry and thereafter inquiry was held unfair then on merit one witness was also examined and evidence of Sri Dung Dung given during PP is allowed to be adopted as evidence on merit also with the consent of the parties. T K Mazumdar the complainant examined himself as a witness on merit. He has said that he joined at FCI, DO Gangtok on 07.02.2002 thereafter he was transferred to Jorhang Depot of FCI and he joined there. He has further said that just after his joining it was apprehended by him that the stock was not available as per books of account. His co-workmen Dung Dung has also said so but he was not sure about the actual shortage as stock account was not being shown to him by the depot in charge and the same was kept in the residence of the depot in charge Mr Kar. He has further stated that after peripheral assessment he was confirmed that stock is not available as per book balance then he intimated the matter over phone to DM Gangtok and proceeded on leave and during leave on 23.12.2002 he again reported in writing to DM Gangtok. But no action was taken by DM Gangtok and due to this he tried his posting to Bihar and he was accordingly transferred on 01.03.2002 but he was not relieved. He has further said that later on during month of Oct,02 Physical verification was conducted and shortages was detected and then depot in charge Swapan Kar who was the custodian of stock has given a confessional statement dated 01.10.2002 owing entire responsibility of shortages and requested the management to recover the cost of food grains from his salary in instalment. The depot in charge has further confessed that no employee other than him is responsible for this shortages. This confessional statement is filed by the complainant vide Ext W-2. He has further said that during 2005 a charge sheet was issued and during inquiry and also along with their defence brief they filed all the documents before the authority but all the employee posted their during 2002 were removed from the service w.e.f 29.04.2010. This witness has further said that he and Dung Dung both were AG III (D) and as such they cannot be held responsible for shortages. He has further said that a CBI case for this shortage was initiated against Sri Kar Depot in charge and these complainant were witness in the case. He has further said that all the important records of the depot are kept in the residence of depot incharge. Lastly he has said that as per storage manual in chapter 15; Sl. 15.5(iv) the depot in charge alone is responsible for shortage of the stock being custodian and key holder. The relevant portion of storage manual chapter 15 serial 15.5 (iv) is quoted as under :-

“ If any mal-practice/delay in accounting is found, the person to be immediately punished will be AG I (D) in so far as that godown under his direct charge is concerned”

Other WW Sri Dung Dung has also said above fact in his evidence adduced during preliminary enquiry and there is no cross examination on the above point and the said evidence is allowed to be adopted as his statement adduced on merit.

19. It is necessary to discuss about the documents filed by the parties. The complainant has filed a complaint on 23.02.2002, Ext W-1 and requested the District manager to investigate the irregularities about acute shortage of food grain. The said letter was received on same day under proper receipt which is evident from exhibit itself. Even after receipt of this complaint no action was taken by the District Manager and being aggrieved by the said attitude of District Manager Gangtok T K Mazumdar the complainant proceeded on long leave and got his transfer order from Gangtok to Jharkhand region on 01.03.2002 vide exhibit W-8 but he was not relieved from Gangtok due to his complaint as District Manager Gangtok and Depot incharge Jorhang were link with each other and was against the complainant for his action as an whistle blower. During the month of Oct'02 physical verification was conducted and shortage was detected and then a confessional statement dated 21.10.2002 was given to the investigating team by the depot in charge which is addressed to the District manager and the head of the investigating team, operating portion of the confessional statement exhibit W-2 is as under:-

“While owing the responsibility for PV shortage in respect of rice stored at Jorhang on 17.10.2012. I undertake to coup/reimburse the full cost of shortages of rice to FCI in instalment because no other official of FCI is responsible for the shortage.”

20. The PV team submitted the detailed report vide ext. W-12 wherein they have mentioned in page para 4 that the depot in charge Sri Swapan Kumar Kar AG I (D) is posted at Jorhang since more than 10 years and holding the charge of depots since last six year and lastly they have recommended action against depot incharge Sri Kar only. The operative portion is reproduced as under:-

“The team is of the opinion that the responsibility for the shortages of 1365 BT bags, 102 MBT bags containing Rice grade ‘A’ on the average weight of delivered quantity and for the shortage of empty gunny bags and for the shortage of 55 b/s = 55.63 Qtls. Sugar lies upon Shri Swapan Kumar Kar AG I (D) who is the physically charge holder of the stock and stores and failed to explain the reasons for such huge shortage of rice stocks. Shri Swapan Kr Kar is and should also be made liable for the shortage of 55 B/s of sugar.”

In their report they have calculated a loss of Rs. 13,55,019.00 only but in the charge sheet the amount is shown 81,49,932.00. The inquiry was conducted against 6 person and in the charge sheet Rs.13,55,019.00 is multiplied X 6 and thereafter charges of Rs.8149932.00 was levelled against them which is incorrect and unjustified.

21. It is relevant to point out that as per memorandum Ext M-1, 12 listed documents were filed by the OP during domestic inquiry and 11 witness are cited on behalf of the OP but it is very surprising that Opp. Party has neither examined any witness who were examined during domestic inquiry on their behalf nor filed any listed document to prove the charge on merit and adduced evidence on merit of such a person who is not aware about fact relating to merit of the case and thus the Opp. Party has miserably failed to substantiate the charges against the complainant whereas the complainant has from documents and evidence has successfully disapproved all the charges and established their innocence in the case.

22. From the documents and evidence of the parties it is clearly established that complainants Tapan Kumar Mazumdar has intimated over phone to District manager about the shortage at FSD Jorhang and thereafter also intimated in writing but no action was taken by the District manager. It is also proved that co-worker Dung Dung has helped him in intimating the shortage to the District manager. From the report of the committee it is also proved that Depot in charge Kar was posted at Jorhang Depot since last 10 years and he was the custodian of the stock being the key holder and he has given a confessional statement before the PV team on 22.10.2002 and as per storage manual the custodian shall be held responsible for any shortages/ excesses or any malpractices. The detraction of the depot incharge from his confessional statement after seven or eight years cannot relieve him from his responsibility as the same is after thought. The disciplinary authority during his cross examination at the time of PP, has stated that he removed all charge-sheeted staff of that depot and it is a fact that T. K. Mazumdar pointed out about shortage within very short time from his joining but District Manager could not intimated it to higher authority. He has further said that after three days Sri Mazumdar went on leave for a period of 69 days to save himself. Had all these documents before me Mazumdar would not have seen these days. Mazumdar prayed for his transfer and it was allowed but he was not allowed to be relieved. Another workman is AG III (D) i.e. beginning level clerical staff.

23. In view of the discussion made hereinabove it is held that the order of punishment of removal from service dated 29.04.10 is illegal and unjustified and the same is hereby set aside. Further the OP is directed to reinstate Sri Dung Dung with full pay and all benefits from the date of removal and allow him to join his duty at once and pay Sri Mazumdar the salary and other allowances including post retirement benefits from the date of removal till the date of superannuation i.e. 31.12.2012. Period of suspension as mentioned in the removal order in respect of both workmen

shall be treated as to have been spent on duty for all purpose and they will be paid the differential amount of those period. The award shall be implemented and arrear shall also be paid within one month from the date of publication in the Gazette of India failing which the Opp. Party is liable to pay 4% simple interest till the date of payment of arrear.

This is my award.

R. K. SARAN, Presiding Officer

नई दिल्ली, 15 नवम्बर, 2017

का.आ. 2659.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स फूड कारपोरेशन ऑफ इंडिया एवं उनके कर्मचारी के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय नं. 1, धनबाद के पंचाट शिकायत संख्या 10/2015 जो कि (संदर्भ संख्या 138/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.11.2017 को प्राप्त हुआ था।

[सं. एल-22012/170/1996-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 15th November, 2017

S.O. 2659.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Complaint No. 10 of 2015 Arising out of Award (I.D. No. 138/1997) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Dhanbad as shown in Annexure, in the industrial dispute between the employers in relation to the Food Corporation of India and their workman, which was received by the Central Government on 08.11.2017.

[No. L-22012/170/1996-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.1), DHANBAD

IN THE MATTER OF A COMPLAINT U/S 33(A) OF I.D ACT, 1947

COMPLAINT NO. 10 of 2015

(Arising out of Ref.No. 138/97)

Ministry order no. 22012/170/96-IR(C-II)

Hansraj Singh, AG (D), FCI, Chhapra
District Office, Chapra

...Complainant

Vrs

General Manager (Region)
Food Corporation of India
Arunachal Building, Exhibition Road,
Regional Office, Patna

...Opposite party

Present : Sri Ranjan Kumar Saran, Presiding Officer

Appearances :

For complainants : Shri Vijayendra Kumar, Authorised representative

For opposite party : Shri Manish Mishra, AGM (Law), FCI

State : Bihar

Industry : Food

Dated 25/09/17

AWARD

1) The instant complaint is filed by the complainant against an order of penalty dated 28.7.2015 passed by the OP where under the complainant was reverted to the post of AG III(D) in initial pay of AG III (D) from AG II (D) for alleged misconduct during procurement of rice at Bihar State warehousing godown at Chapra, District - Saran.

- 2) That a reference no. 138 / 97 was pending before this Tribunal regarding payment of OTA at double the rate in respect of all employees of united Bihar region of FCI and during the pendency of the said reference service condition of the workman has been changed / altered without taking prior permission of this Tribunal as required under Sec. 33 (1) of the ID Act, as such a complaint under Sec. 33 A is filed before this Tribunal for violation of Sec. 33 of the ID Act.
- 3) It is further case of the complainant that OTA is linked with the basic pay of the workman and if basic pay is reduced the entitlement of OTA will also be reduced and the original reference is about OTA, therefore, action of the management imposing punishment of reduction to the post of AG III (D) in initial pay scale of AG III (D) is directly connected with the reference and admittedly the complainant are concerned with the said reference.
- 4) The complainant while working as AG II (D) was posted at BSWC godown at Chapra along with other employees and during the tenure of his posting procurement of food grain i.e. paddy, wheat and rice was being undertaken by the Food Corporation of India to provide the farmers at least the minimum support price of food grain. BSWC Chapra godown was also used to store the food grain of FCI received from other state as well as procured stock of Chapra and for storage BSWC was being paid the storage charges as well as administrative charges by FCI as per agreement in vogue. In each BSWC godown depot staff of FCI are being posted permanently and the QC staff is also posted at the time of procurement to check quality of food grains. Depot staff i.e. the complainant was responsible for maintenance of all the depot account with the help of other depot staff except QC paper and QC staff was responsible for quality check of food grain as well as preparation of QC papers so that payment to the farmers or other agency if any be made. Providing treatment of food grain is also the duty of QC staff.
- 5) During the relevant season of procurement the Bihar State Food and Civil Supply Corporation was declared as nodal agency for procurement of foodgrains in the state of Bihar. BSFC started purchase of paddy from the farmers and after its milling rice was sent to the FCI procurement centre against central pool and FCI after procurement of food grains used to pay purchase price as declared by Govt of India to the BSFC.
- 6) That when the trucks loaded with the rice or wheat reported at the godown then a written programme alongwith truck nos and numbers of bags loaded in truck is given by the SFC to FCI and depot staff like the complainant was to allow entry of the said truck inside the godown for checking by QC staff. The stock loaded in truck was dumped inside the godown and after checking by the QC staff it was stacked finally as per instruction of Superintendent BSWC Chapra and after preparation of QC paper by the QC staff the payment was released to the BSFC by the FCI.
- 7) The QC staff after checking the quality of food grain allowed the superintendent to keep the stock inside the godown and QC papers i.e. acceptance note and payment voucher etc. was being prepared subsequently as because it was not possible for a single QC staff to check the quality and prepare QC paper simultaneously. Maintenance of enforcement register, dumping register, rejection register, dehusk register, register of damage food grains and register for QC dead stocks along with QC equipment register are the duty of QC staff posted/deployed in PPC. The complainant has nothing to do with maintenance of those register. Moreover the complainant was not even attached with the work of procurement. One Yogendra Singh AG II (D) was the procurement in charge along with Jitendra Prasad Rai TA as per Ext.M-1. The complainant is in no way responsible for pendency of QC records as well as for procurement of food grains. He was the depot in charge and Yogendra Singh & Jitendra Prasad Rai were deployed exclusively for procurement, therefore, action if any taken against the complainant is illegal & unjustified as complainant was not entrusted procurement work.
- 8) On 25.03.2013 and 26.03.2013 2700 Qts+3453.17 Kg= 6153.17 Kg rice was brought for procurement as usual by trucks and the entry of those trucks was allowed by the complainant with an advice to the QC staff to check its quality and accordingly Sri Jitendra Prasad Rai, TA III who was posted at BSWC Chapra, after checking accepted the stock and instructed the Supdt BSWC to keep the stock inside the godown. The official of BSFC was told by the TA that acceptance note and payment voucher shall be prepared within two or three days as it is not possible to prepare the same on same day due to pressure of work.
- 9) On 25.03.2013 and 26.03.2013, 6153.17 Kg= 615.317 MT rice was procured and on 26.03.2013 itself one missing wagon was also unloaded and accordingly 627.97 MT rice stock was available in the stock of FCI as on 29.03.2013.
- 10) Since there was no stock except the above and there was pressure of State Govt. to issue the stock, the said entire stock was issued to the BSFC on 29.03.2013 and 30.03.2013 against release order but till 30.03.2013 QC paper was not given by the QC staff to BSFC. Thereafter a complaint was made against Jitendra Prasad Rai for demanding money from BSFC officials for preparation of QC papers.
- 11) The case of the OP in short is that later on a complaint from unknown sources was made to the FCI and a team headed by Sri Avinash Kumar DGM (Law) alongwith Sri Anshu Sharma AGM and Sri Birendra Kumar Manager (QC) was constituted and they in their report dated 31.07.2013 i.e. Ext M-9 has mentioned that since QC paper was not

prepared as such the said procurement on 25.03.2013 & 26.03.2013 and issue of food grains on 29.03.2013 & 30.03.2013 was fictitious and on this ground the complainant was placed under suspension w.e.f 08.04.2013 and a charge sheet under regulation 58 of FCI Regulation was issued on 15.01.2014 and proceeding was started and after enquiry the complainant was awarded a penalty of reduction to the post of AG III (D) in initial pay scale vide order dated 28.07.2015 and accordingly this complaint was filed by the complainant under Sec. 33 A of the ID Act.

12) On the other hand the case of the Opp. Party is that the order of punishment imposed against the complainant by the Disciplinary Authority, vide order dated 28.07.2015, which is questioned in this complaint case is on account of commission of grave misconduct by accepting CMR Stock with checking of quality and issuance of quality certificate and purchase-cum- payment voucher and simultaneously showing issuance of that stock clandestinely which ultimately was found fake as neither the said sticks (Rice) were physically found purchased nor physically issued on the given dates and only paper was created to commit recycling of stock. After being chargesheeted, the complainant was held guilty by the inquiry officer and the disciplinary authority has imposed the penalty of reduction to the lower post of AG-III(D) with initial pay of reduced post.

13) It is further submitted by the Opp. Party that there is not application of the proviso to section 33(2)(b) of the I.D. Act 1947 in the present case because by the impugned penalty order, the complainant is neither discharged or dismissed from service. Thus there was no requirement under the said provision for seeking approval by the management from the Hon'ble Tribunal. Thus the action of the management is fully covered by the statutory permission provided under sub clause(a) & (b) of section 33(2) of the I.D Act 1947. Thus there being no breach of section 33 of the I.D Act, this complaint under section 33 A of the Industrial Disputes Act 1947 is not maintainable, and therefore the same is fit to be dismissed at the very threshold.

14) The OP in their WS has also stated that the complaint is not maintainable because the punishment is not related to the pending reference as such no approval/permission was required before passing the order of punishment. They have further stated that the punishment was awarded after holding domestic inquiry as per provision of staff regulation which was within the competence of the authority as such the same may not be a subject matter of the present complaint. They have further stated that reference 138/97 was pending about OTA of the employee which is not connected with this complaint and the workmen is also not concerned with this reference and pray for dismissal of the complainant petition.

15) It is also the case of the complainant that during domestic inquiry he was not allowed by the EO to give his evidence and other DWs was also not allowed. Some vital defence document was also not allowed as such after evidence of opp. Parties and of the complainant the enquiry was held unfair and improper and Opp. Party was directed to produce evidence on merit and prove the charges levelled against the complainant before this Tribunal.

16) The Opp. Party has examined altogether 5 witnesses in support of the charges except one during PP and filed certain documents in support of their case which has been marked Ext M-1 to M-12, 04 witnesses were also examined by the complainant excluding one during PP and a bunch of documents was also filed which were marked Ext- W-1 to W-18.

17) As per charge sheet Ext M-1 it is alleged by the Opp. Party that on 25.03.2013 & 26.03.2013 there was no procurement as well as on 29.03.2013 and 30.03.2013 there was no issue of food grain and complainants & others has shown these operation only on paper as such the same is fictitious and complainant is guilty of the said misconduct.

18) MW-2 Sri Anshu Sharma Asstt. General Manager, who was a committee member of regional office team and sole vital witness of the OP has said in his examination in chief that there was no procurement on 25.03.2013 & 26.03.2013 and also there was no issue of stock on 29.03.2013 & 30.03.2013 and the procurement was fake but during cross examination he has admitted that in fact there was procurement on 25.03.2013 & 26.03.2013 as well as issue on 29.03.2013 & 30.03.2013. He has further admitted that consignee has admitted that they have received the said stock. He has said in detail as such the same will be examined separately here-in-after.

19) MW- 3 is Santosh Kumar AGM has said that he was not the member of the investigating team. He has said that he went Chapra to check the maintenance of record not for the purpose of investigation as such his evidence is of no help of the OP and he is mere a formal witness.

20) MW-4 is Sri Jitendra Prasad Rai TA III. He has said that on 25.3.13 he was posted at FSD Chapra and worked there. He said that he was telephoned to prepare QC paper of BSWC Chapra. He said that he is not posted at BSWC Chapra as such he will not prepare the QC paper. He further said that he was ordered by Area Manager to go to BSWC and he went there and stayed till 11 AM but no procurement was made there. During cross examination he has admitted Ext.W-1 & W-2. Authenticity of his evidence shall be examined further in detail hereinafter.

21) MW-5 Sri Sameer Kumar Dwivedi TA II has said that he was not aware about incident of 25.03.2013 & 26.03.2013 as he joined 02.04.2013. He is mere a formal witness and of no help of Opp Party.

22) MW-6 Deepak Kumar Choubey, TA III has said that up to 23.03.2013 he was looking after the procurement work of both the places i.e. FSD Chapra & BSWC Chapra but on 23.03.2013 he was transferred from there and Sri Jitendra Prasad Rai TA III was posted there to work as TA III at BSWC Godown Chapra. He has further said that he has no idea about incident of 25 & 26.03.2013. From his evidence it is proved that Jitendra Prasad Rai TA III was posted at BSWC Chapra on 25.03.2013 to look after the procurement work and the evidence given by Jitendra Prasad Rai that he was not posted at BSWC Chapra is proved false.

23) Now the evidence adduced on behalf of the complainant has to be examined. WW-2 is the complainant himself. He has said that on 25.03.2013 & 26.03.2013 there was procurement of rice and on 29.03.2013 & 30.03.2013 the said rice and rice received from missing wagon in between was issued to the Bihar State Food Corporation Chapra against the RO issued by FCI. He has further said that Jitendra Prasad Rai TA was present on that date. He has further said that except the procured rice and rice received from one missing wagon in the meantime there was no other stock available at BSWC godown Chapra. He has further said that the rice stock was purchased after quality check but paper of QC was not prepared on that day. Complainant has further said that he has not committed anything wrong and the allegation against him is quite false and finding of the committee is also misleading & wrong and based on their assumption & presumption. His above evidence is consistent, authentic and reliable as there is no cross examination on the above points.

24) WW 3 is Sri Raj Kumar Prasad who was Asstt. Godown Manager in BSFC and was posted at Chapra during the relevant period. He has said that on 24.3.13 – 5400 bags=2700 qtls. rice and 25.3.13 6907 bags = 3453.17 qtls. rice was despatched by him from rice mills through its contractor by truck for procurement by FCI at BSWC godown Chapra. He has further said that after quality check Jitendra Prasad Rai allowed the stock for unloading in the SWC godown at Chapra on 25.03.13 and 26.03.2013. Sri Jitendra Prasad Rai instructed the superintendent BSWC to unload the stock in his godown and he will issue QC paper later on. This practice was in vogue there. He has further said that one Ravi Raj of FCI was there to collect the QC paper from the TA. He has further said that later on Jitendra Prasad Rai demanded money from Mr Ravi Raj representative of BSFC deputed there to issue QC paper for which Raviraj made a written complaint against Jitendra Prasad Rai and on the basis of his complaint the DM BSFC as well as District Magistrate Chapra has intimated the same to the GM FCI Bihar as well as Food Secretary, Bihar but no action was initiated against him. He has further said that the allegation of FCI committee and their report is false and based on their own assumptions and presumptions against all the vital documents of FCI, BSFC and SWC. Actually there was procurement of rice on 25.3.13 & 26.3.13 and its issue on 29.3.13 & 30.3.13 was also performed as per procedure of FCI, SFC & SWC. His evidence is relevant, authentic & reliable and there is no cross examination on the said points.

25) WW- 4 Ravi Raj has stated that he was deployed as lifting in charge by BSFC in BSWC godown Chapra during the relevant period. He has further stated that on 25.3.13 & 26.3.13 he gave written programme for procurement to in charge FCI BSWC Chapra and after his permission the truck was allowed to go inside the BSWC godown for checking by QC staff and unloading in the BSWC godown. He has further said that quality check of the food grain was conducted by Jitendra Prasad Rai on both days. 10 % weighment was also taken by FCI & SWC. He has further said that on 29.03.2013 & 30.03.2013 the stock was issued to BSFC Chapra in his presence and his signature is there on the records of SWC, BSFC as well as FCI. He has further stated that QC paper was not prepared till 31.03.2013 and money was demanded by Jitendra Prasad Rai for preparation of QC paper as such a complaint was made by him on 01.04.2013 vide Ext.W,-1. He has further stated that it is a fact that procurement of rice was undertaken on 25.03.2013 & 26.03.2013 in presence of Jitendra Prasad Rai and the same was unloaded as per his consent and the said stock was also issued on 29.03.2013 & 30.03.2013 against the release order issued by FCI. Lastly he has said that the report Ext M-9 is based on inference, imagination and presumption of the committee and entire finding of the said committee is against the unimpeachable document of FCI, SFC and BSWC. During his evidence he has referred all the documents filed by the complainant in this case. His evidence is consistent, systematic based on documents and given in unequivocal term. Even during his cross examination, Opp Party was failed to extract anything in their favour.

26) WW 5 has said in his evidence that he was Supdt. I/c of BSWC godown Chhapra. In this godown food grain of FCI is being stored only. He has further said that on 25.03.2013 & 26.03.2013, 2700 qtl. & 3453 qtl.17 Kg rice respectively was brought by Sri Raviraj by truck for procurement by FCI. Thereafter I/c FCI Sri Hansraj Singh instructed me to get the stock unloaded after QC check and the rice was unloaded from the trucks in presence of Jitendra Prasad Rai TA and other employee of FCI posted at BSWC Chapra. He has further said that at the time of unloading the stock was checked by Sri Jitendra Prasad Rai and the same was kept inside the godown Sri Rai was present from 11 AM to 1 PM and collected the sample of rice from the different trucks on both the day and asked me to unload and stack inside the godown. It was further stated by him that the said stock and the stock received from one missing wagon in the meantime was issued to BSFC against release order issued by FCI. He has further stated that no order or instruction of FCI was given to him that rice procured be issued only after inspection by higher officer of FCI. He has further stated that there was pressure of the State Govt. to issue the food grain, and release order was also with him, therefore, the said stock was issued to the BSFC Chapra. He has further said that the stock of rice was actually

unloaded in BSWC godown at Chapra on 25.3.13 & 26.3.13 and the same was issued to the BSFC Chhapra against the release order on 29.3.13 & 30.3.13 as there was no other stock available. He has further said that after considerable period one committee of FCI was at Chapra to verify our record and we have provided all the document in support of receipt & issue, He was also called by them in RO of FCI and they obtained his written statement on 15.05.2013 but in their report they have opined against all the records of FCI SWC & SFC and narrated a false story of fake procurement. Their report is based on their imagination & hypothecation. During cross examination too he has clearly said that Jitendra Prasad Rai demanded money to prepare the QC paper. Nothing favourable was obtained by the Op during cross examination.

27) Apart from the witness both the parties has filed document. Opp Party has also filed documents which has been marked M-1 to M-12 and the complainant has also filed documents which has been marked exhibit W-1 to W-18. Opp.Party's document Ext M-1 is memorandum, M-2 is IO report, M-3 is paper notification, M-4 is punishment order, M-5 is booklet of KMS 12-13, M-5/1, M-6, M-7 & M-8 are statements, M-9 series is report, M-10 is order dated 23.3.2015, M-10/1 is posting order of Sri Jitendra Prasad Rai to BSWC Chapra, M-11 is statement of Sri Sameer Dwevedi and M-12 is statement of Sri Deepak Choubey. It is very much surprising that altogether 59 documents, list of which was annexed with the memorandum Ext.M-1 were produced during the domestic inquiry has not been filed before this Tribunal reason best known to the OP. One new document Ext M-9 which was not the part of domestic inquiry has been filed by the OP in support of their case. Saran regarding complaint against technical staff, Ext W-2 is written complaint of lifting I/c regarding delay in preparation of QC record by Jitendra Prasad Rai and demand of money. Ext W-3, and W-7 are the programme of SFC for 25.03.2013 and 26.03.2013 on which the BSFC representative has given details i.e. name of miller, Truck no., no of bags & quantity loaded in trucks. As per programme dated 25.03.2013, 5400 bags = 2700 qtl rice was brought by SFC for procurement and 13 truck containing 6907 bags= 3453.17 qtl. was brought on 26.03.2013 respectively. Ext W-5 and W-8 are the weight check memo on which 10 % weighment of procured food grain was undertaken. Ext W-6 and W-9 are the truck challan against which the truck was brought for procurement. Ext W-11 is the 'M' form issued on 29.03.2013 & 30.03.2013 and Ext W-7 is the release order issued by FCI against which the stock was issued on 29.03.2013 & 30.03.2013 to BSFC. Ext W 12 is the procurement register of BSFC containing the figure of procured stock on 25.03.2013 & 26.03.2013. Ext W-13 is the stock A/c for the month of March 2013 containing the figure of procured stock and issued Stock. Ext W-14 is the master ledger of FCI for the month of March Ext W-15 is the programme given on 29.3.13 and 30.3.13 regarding issue, and Ext W.16 series are the gate pass issued by SWC and BSFC on 29.3.13. & 30.3.13. Ext W-17 is statement of Sri Avnish Kumar Supdt, BSWC Chapra which was given before investigating team of FCI. All the documents filed by the workmen are official records and are part of the listed 59 documents of the Opp Party. After careful consideration of the Written statement, evidence and pleading of both the parties following points requires adjudication:-

- i Whether the complainant is workman and the present complaint is maintainable ?**
- ii Whether at BSWC Chhapra there was procurement of food grains on 25.03.2013 & 26.03.2013 and issue of food grain on 29.03.2013 & 30.03.2013 ?**
- iii Whether the complainant is guilty for misconduct as mentioned in memorandum and punishment dated 28.07.2015 is legal & justified? If not to what relief the complainant is entitle to?**

Point no.1 :- The complainant is workman under ID Act. He is mere a clerk and his OTA is linked with the basic pay are admitted by the OP. There is no denial either in WS of the Opp.Party or in any documents. The complainant is entitle to get OTA and pending dispute is about OTA is also not denied by the OP rather the aforesaid facts are admitted by the Opp.Party. It is also an admitted fact that reference no. 138/97 is in respect of all the workmen of Bihar Region, therefore admittedly the complainant is concerned with ref no 138 /97. Due to the alleged misconduct the complainant was placed under suspension on 08.04.2013 without serving any charge sheet as such alteration in service condition started w.e.f the date of suspension. The charge sheet was issued on 15.01.2014 and after domestic inquiry he was reverted to the post of AG III (D) in the initial pay to that post. Since his pay was reduced then his entitlement to get OTA is also reduced and the said change during the pendency of reference no 138/97 is violation of Sec 33 (1) of the ID Act and for any such violation there is express provision to file a complaint under Sec 33 (A) of the ID Act and if complaint is filed the Tribunal has to adjudicate the matter as if it were a dispute referred or pending before it in accordance with the provision of the Act and shall submit award to the appropriate government. In view of the above it is held that the complainant is workmen and concerned with reference 138/97 and by reducing his pay & post the entitlement of OTA is also reduced, therefore, this change is also connected to the pending dispute and compliance of Sec 33 was mandatory on the part of OP and thus present complaint is maintainable. Original ref.138 of 97 was also pending on the date of alteration of service condition i.e. on 28.07.15 in view of section 20 (3) read with section 17 (A) of the I.D. Act as award was not enforceable on 28.07 2015 therefore, this complaint petition is also maintainable.

Point no.2:- Three Govt. agencies were engaged in the work of procurement during the relevant period. Bihar State Food Corporation was nodal agency to purchase paddy from the farmers and after milling of the said paddy the resultant rice was purchased by the Food Corporation of India against central pool from BSFC. The said purchased rice

of FCI was being stored in different godown including BSWC Chapra and thereafter the same was given to the BSFC against release order issued by FCI after realising the cost of the food grains from the BSFC. BSFC thereafter distributed the said stock to PDS dealer of the said district.

28) In the instant case as per memorandum est.M-1 it is alleged that on 25.03.13 and 26.3.13 there was no procurement at BSWC Chapra and on 29 & 30.3.13 there was no issue of food grain. As per OP the procurement was not taken place on 25 & 26.3.13 and entire operation was fake due to non-preparation of QC paper where as FCI staff posted there including the complainant as well as authority of BSFC & BSWC are admitting that in fact there was procurement on 25 & 26.3.13 and Issue on 29 & 30.3.13.

29) To find out the factual position the Tribunal has to discuss the documents and evidence of both the parties. The OP has filed 03 man committee report dated 31.7.13 in which they have held that there was no procurement on 25.3.13 & 26.3.13 as well as there was no issue of food grain on 29 & 30.3.13 and except the said report no other documentary evidence has been filed by the OP in support of their case in this Tribunal. So far as other documents of the OP is concerned they have filed the charge sheet and proceeding relating to departmental enquiry excluding the listed documents but not filed any records of the depot in support of their allegation. Several documents are made annexures but not even a single document is annexed. The OP has also examined 05 witnesses on the point of merit of this case. MW-2 is Anshu Sharma, Asstt. General Manager who was a member of investing team in his written deposition has said that there was no procurement on 25.3.13 & 26.3.13 and the same was shown only on paper but during his cross examination he has changed his version and admitted the entire case of the complainant and accepted that in fact there was procurement on 25.3.13 & 26.3.13 and issue on 29.3.13 & 30.3.13 against the release order issued by FCI. His cross examination portion is very important to find out the factual position of the case. The same is quoted herein after for proper adjudication of the case.

“It is a fact that on 25.03.2013 & 26.03.2013 rice was procured at SWC Chapra. It was issued to State Govt. on 29.03.2013 & 30.03.2013. After received complaint of lapses I went to inquire in the 1st week of April 2013. On the spot stock was not there. On record I saw procurement and on record I saw consignment but factually I did not find stock there. The stock release order was issued by FCI and released by SWC. SFC deposited money where after FCI issue release order. Since I did not know the complaint there was no scope to ask anything to him. But as per higher officers order I proceeded for inquiry. It is a fact that consignee admitted that he received the consignment.”

30) From the evidence of PW-2 itself it is proved that in fact on 25.03.2013 & 26.03.2013 there was procurement of food grains at BSWC Chapra and the said stock was issued on 29.03.2013 & 30.03.2013 against sufficient to falsify the entire case of the opposite party as mentioned in the report dated 31.7.13. This PW was not in a position to see the stock as the committee visited after liquidation of stock.

31) MW-4 Jitendra Prasad Rai in his evidence has denied his posting at BSWC godown at Chapra. However he has said that as per Area manager order he visited SWC Chapra and stayed up to 11 AM but no procurement was made. His above evidence was found false in face of the order dated 25.03.2013 ext. 10/1 & evidence of MW-6 regarding his posting at BSWC Chapra. All the witness examined on behalf the workman who is Govt. servant has stated before this Tribunal that Sri Jitendra Prasad was personally present on 25.03.2013 & 26.03.2013 and after his checking the stock was kept inside the godown and money was demanded by Sri Jitendra Prasad Rai for preparation of QC papers. The State Authority including the District Magistrate Saran has also written to the Principal Secretary Bihar as well as GM Bihar regarding delay in preparation of QC papers by the technical assistant. This complaint is filed before this Tribunal on behalf of the complainant and marked ext.W-1 & W-2. Complaint was also shown to Jitendra Prasad Rai during his evidence and the same was admitted. OP also has not denied the authenticity of the said document; therefore, the evidence of Sri Jitendra Prasad Rai is not reliable and is untrue. He is responsible for wilful non preparation of QC records and demand of money from the BSFC and only on the basis of non-preparation the genuineness of procurement validly held on 25 & 26.03.2013 cannot be disputed. Due to his wrong statement before the FCI committee the entire case was cropped up and the committee after believing his false evidence submitted their report Ext M -9 which is based on their inference, assumption & presumption against all the official records of three Govt. Agencies. In view of above their report is not acceptable. The allegation levelled in the memorandum ext.M-1 is based solely on report ext. M-9. It is surprising that why FCI authority was sitting tight over the complaint made by the state authority and has not taken any action against Jitendra Prasad Rai?.

32) So far as the evidence adduced on behalf of the complainant is concerned they all are eye witness. Evidence of all the WW 2 to 5 are authentic, systematic & consistent and the OP has not extracted anything even during their cross examination. The entire evidence on behalf of complainant is based on records which are filed in this Tribunal. The document filed on behalf of the complainant are copies of official record of FCI, SFC & BSWC and their genuineness and authenticity has not been doubted by the OP before this Tribunal and are exhibited with the consent of the parties. During argument it was submitted on behalf of the complainant that figure of procurement on 25.3.13 &

26.3.13 as well as figure of issue of stock to SFC on 29.3.13 & 30.3.13 as claimed by the complainant are still available in the records of FCI from Regional to Headquarter level and this fact was not denied by the OP during their argument. The Opp Party has miserably failed to prove the charges against the complainant before this Tribunal whereas the complainant has strongly disapproved the charges on the basis of document & evidence.

33) From the evidence, document & pleading of the parties, It is proved that on 25.03.2013 & 26.03.2013 there was procurement of food grain at BSWC godown Chapra and Jitendra Kumar Rai TA was present and after checking by him the stock was kept inside the BSWC godown and the same was delivered to the State Govt. on 29.3.13 & 30.03.2013 against release order issued by FCI after realising cost of the food grain from BSFC Chapra and the complainant is not responsible for any misconduct as alleged in Ext. M-1 which is based on Ext M-9, the report of the committee and ,therefore, the punishment order dated 28. 07.2015 is illegal & unjustified and the same is hereby set aside. The suspension of the complainant during this case w.e.f 08.04.2013 to 06.03.2014 is also held illegal & unjustified and the complainant is entitle to get full wages along with other allowances during the period of suspension minus subsistence allowance already paid to him.

34. Considering the facts and circumstance of this case, It is therefore, held that the action of the opposite party in punishing the complainant vide order dated 28.07.2015 is illegal & unjustified and the complainant is restored to his original post of AG II (D) with full pay and allowances of the said post from the date of punishment. The award must be implemented within 30 days of publication in the Gazette of India.

This is my award.

R. K. SARAN, Presiding Officer

नई दिल्ली, 15 नवम्बर, 2017

का.आ. 2660.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स फूड कारपोरेशन ऑफ इंडिया एवं उनके कर्मचारी के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय नं. 1, धनबाद के पंचाट शिकायत संख्या 3, 4/2014 एवं 5/2015 जो कि (संदर्भ संख्या 138/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.11.2017 को प्राप्त हुआ था।

[सं. एल-22012/170/1996-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 15th November, 2017

S.O. 2660.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Complaint 3, 4 of 2014 and 5 of 2015 Arising out of Award (I.D. No. 138/1997) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Dhanbad as shown in Annexure, in the industrial dispute between the employers in relation to the management of Food Corporation of India and their workman, which was received by the Central Government on 08.11.2017.

[No. L-22012/170/1996-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.1), DHANBAD

IN THE MATTER OF A COMPLAINT U/S 33(A) OF I.D ACT, 1947

COMPLAINT NO. 03/2014

Arising Out of Ref. 138/97

Ministry's order No. 22012/170/96 IR(C-II)

Motilal Ram, AG-II (D)
S/o Late Hiralal Ram
Food Corporation of India
S.W.C., Ara Dist.- Bhojpur

...Complainant

Vrs.

1. General Manager (Region)
Food Corporation of India, Regional Office
Patna and Others
2. Executive Director, (East) Zonal Office
10 A Middleton row, Kolkata 71

...Opposite Parties

COMPLAINT NO. 4/2014Arising out of Ref. 138/97

Jagnarayan Singh AG-II (D)
S/o Late Buchul Singh
Food Corporation of India
FSD Po- Mokama, Dist.- Patna

...Complainant

Vrs.

1. General Manager (Region)
Food Corporation of India, Regional Office
Patna
2. Executive Director, (East) Zonal Office
10 A Middleton row, Kolkata 71

...Opposite Parties

COMPLAINT NO. 5/2014Arising out of Ref. 138/97

Krishna Bihari Mishra AG-II (D)
S/o Late Shivjee Mishra
Food Corporation of India
FSD Po- Baksar, Dist.- Baksar

...Complainant

Vrs.

1. General Manager (Region)
Food Corporation of India, Regional Office
Patna
2. Executive Director, (East) Zonal Office
10 A Middleton row, Kolkata 71

...Opposite Parties

Present :- Sri Ranjan Kumar Saran, Presiding Officer**Appearances :**

For complainant : Shri Anil Kr. Srivastava, Advocate

For opposite party : Shri Arun Kr. Sinha, Advocate

State : Bihar

Industry : Food

Dated. 20/10/ 2017

AWARD

2. All complaint case are filed directly by the complainant under Sec.33 A of the ID Act against the an order of recovery of money by way of penalty of Rs. 5 Lakh in equal installment from the salary of applicant, reduction to initial pay in the time scale or AG-II(D), stoppage of future increments and deprived the complainant for future promotion till retirement as well as terminal benefits including gratuity of all the complainant without taking approval of this Tribunal is gross violation of Sec 33 (2)(b) of the ID Act during the pendency of reference no 138 /1997 before this Tribunal.

3. Complainant is the workman of Food Corporation of India filed present complain U/s 33A of the Industrial disputes Act 1947 and prayed to declare the action of the management is illegal.

4. Two witnesses examined on behalf of the opp.Party but one witness examined on behalf of the complainant in each case, and document of Opp.party also marked as M-1 to M-10 in Comp. 4/2014 and Comp 5/2014 but in Comp 3/2014 two document extra marked as exhibit. All cases filed by the workmen is similar nature of case hence heard all cases heard together and a common award passed hereunder.

5. The case of the complainant is that the complainant is a permanent workman of Bihar region and he was initially appointed as Class- IV Staff and later promoted as to the post of AG –III D and AG-II (D) but the Opp. Party / Food corporation of India changed the service condition of all the workman of Bihar region including this three complainant without complying the provision of Sec. 9A of I.D Act 1947.
6. The aforesaid order was passed by the Opp. Party during the pendency of Ref. Case NO. 138/1997, whereas according to section 33 (1) (b) of the Industrial Disputers Act, no employer shall for any misconduct connected with the dispute, discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute. Thus, all the order of punishment, whether by dismissal or otherwise, imposed on the workman for any misconduct unconnected with the dispute, are covered by section 33(2) (b) and would require compliance with its provision.
7. During the pendency of aforesaid reference 138/1997 it was obligatory on the part of management to file petition before this Hon'ble Tribunal under section 33(2)(b), but the management has not filed such application before this Tribunal U/s 33(2)(b), therefore the Opp. Party contravened this provisions of section 33 of I.D Act.
8. It is further submitted by the complainant that during the pendency of aforesaid cases the General Manager (Region) issued a memorandum vide (vig) 4(1313)/2011 dated 19.07.2011 issued a charge sheet to the complainant and made false allegation against the complainant. Thereafter the complainant submitted his reply and denied the allegation levelled against him. The Disciplinary authority without considering his reply initiated departmental enquiry against them.
9. The Enquiry Officer conducted domestic enquiry in utter violation of principle of natural justice and submitted perverse report, and thereafter the Disciplinary Authority imposed a penalty of recovery of Rs. 5 lack each in equal instalment and monthly instalment not exceeding more than one third of his gross salary, and the non recovered amount is recovered from the salary from the terminal benefits excluding gratuity.
10. The Disciplinary Authority imposed a penalty of reduction of initial pay in the time scale pay of AG II(D) and he will earn any future increment with holding of promotion till retirement.
11. The Opp. Party during the pendency of Ref. No. 138/97 inposes the punishment upon the complainant on flimsy allegation without proper enquiry in violation of section 33(2) (b) of the I.D. Act.
12. The complainant has not committed any misconduct as enumerated in the aforesaid memorandum even then the Opp. Party just to victimize him and imposed double penalty upon him without obtaining express permission U/S 33(2) (b) of I.D Act. Hence the action of the Opp. Party is illegal and unjustified.
13. On the other hand the case of the opp. party is that the complainant was charged for commission of grave misconduct alongwith other staff twice, first vide chargesheet issued under No. Vig 4 (1313)/2/2011 dated 19.07. 2011 when he was posted and working as AG. II (D) at FSD Buxar for abnormal shortage of wheat and rice found during the month of Feb. 2011 the cumulative value whereof came to 3,15,05,529/- and second vide chargesheet issued under vig 4(1365)/2/2011 dated 02/02/2012 for charges of abnormal shortage of wheat and rice found during the month of March to June 2011, the cumulative value whereof came to Rs. 1,99,47,454/- apart from it further shortage in terms of bags was detected, the cumulated value of which come to the tune of Rs. 31,05,331. Two saperate departmental enquiry was held saperatly and on being guilty in the enquiry, thus they was awarded penalty.
14. On perusal of MW-1 it admitted during the cross examination that I have not visited the Buxar Shed, therefore I cannot say the position of the Shed. As well as MW-2 also admitted during the cross examination that shed were covered Shed. The Shed was guarded by home guard police. There is no proof of pilferage of bags.
15. On hearing of argument the workman representative submitted that dispute relating payment of OTA of all employees pending before this Tribunal at the time of action taken by the opp. Party. But the representative of opp. Party submitted that for serious lapses management has to take stringent action. This is true but as per U/S 33 (2) the Opp. Party ought to have obtained approval from Tribunal to justify their action .
16. It is clear law In I.D Act 1947 aproval is must after taking any stringent action of the Opp. Party. Asking the approval of the Tribunal relating to action of Opp. Party/management would not belittle the dignity of the Opp. Party. The Hon'ble Apex Court in clear tone has observed, while a dispute what ever sort that may be pending before the Tribunal aproval must be obtained from the Tribunal to Justify its action and a decision to that effect reported in A.I.R. 2002 SC 643(i). For deciding the all present cases.
17. Considering the facts and circumstances of all these cases, I hold that the action of the Opp. Party is illegal and not justified. Hence set aside the order of penalty imposed by the Opp. Party vide order of 24.07.2012 and 17.09.2013 and further direct to the Opp. Party to refund the amount which is all ready recovered from his salary and restore his pay accordingly and pay him all retirement benefits, if they were retire from his service.

This is my award.

R. K. SARAN, Presiding Officer

नई दिल्ली, 15 नवम्बर, 2017

का.आ. 2661.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स एम. सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 82/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13.11.2017 को प्राप्त हुआ था।

[सं. एल-22012/103/2008-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 15th November, 2017

S.O. 2661.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 82/2008) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure, in the industrial dispute between the management of M/s. M.C.L. and their workmen, received by the Central Government on 13.11.2017.

[No. L-22012/103/2008-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BHUBANESWAR****Present:**

Shri B.C. Rath,
Presiding Officer, C.G.I.T.-cum-Labour
Court, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 82/2008**Date of Passing Award – 3rd October, 2017****Between:**

The General Manager,
Lakhanpur Area, MCL,
Po. Bandhbahal, Dist. Jharsuguda,
Orissa

...1st Party-Management**(And)**

The Secretary,
Brajrajnagar IB Khadan Mazdoor Sangh,
At. Qrs. No. M/635 & 636, Bandhbahal,
Po. Bandhbahal, Dist. Jharsuguda, Orissa

...2nd Party-Union**Appearances :**Shri B.C. Mallick ... For the 1st Party-Management

Shri Mohan Ch. Nayak, ... For the 2nd Party-Union
General Secretary

AWARD

The Government of India in the Ministry of Labour in exercising its authority conferred under by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act (in short “the Act”) have referred the dispute between the management of Lakhanpur Area, MCL and their workman to this Tribunal vide letter No. L-22012/103/2008 – IR(CM-II), dated 24.11.2008 with following schedule:-

“Whether the action of the Management of M/s. MCL in imposing penalty of dismissal from service w.e.f. 02.02.2007 on Shri P.N. Parida is legal and justified? To what relief is the claimant entitled?”

2. The disputant workman Shri P.N. Parida was working as a Dumper Operator with effect from 7th May, 1984. On 12.06.2008 he was performing night shift duty being a Dumper Operator in Belpahar OCM of Lakhanpur Area being allotted with Dumper Sl. No. 2813. He was stated to have been cut-red hand by the patrolling party of the Management

while removing diesel from his dumper in jerkins through a plastic pipe in an isolated place of the mining area and as such a domestic enquiry was conducted against him after he was charge-sheeted and placed under suspension with effect from 13.6.2006. In the said proceeding he was charged of committing theft and fraud in connection with the employers business or property and involving in willful and deliberate act of being subversive which is detrimental to the interest of the company. He is said to have been participated in the departmental enquiry and defended himself. On conclusion of the enquiry when he was found to have committed serious misconduct being involved in theft of the property of the Management, he was dismissed from service with effect from 02.02.2007.

3. The 2nd party-workman has challenged his dismissal on a contention that the domestic enquiry was not conducted in a fair and proper manner with conformity to the principle of natural justice. The enquiry was completed in haste and disposed of in five sittings. The proceeding was conducted in English though he being illiterate person was unable to understand the language in which the proceeding was recorded. He was not given opportunity to engage a person of his choice to defend himself in the domestic enquiry. He was not allowed to put-forth his statement and evidence in the domestic enquiry. The said enquiry was conducted in a biased manner and the enquiry officer was not impartial. The statement of the witnesses in the domestic enquiry were recorded as per the instruction of the enquiry officer and signatures of the witnesses are taken in formality. He was not given opportunity to cross examine the witnesses. The materials produced before the enquiry officer were inadequate to suggest that any theft of the management's property was committed by him. It is the claim of the 2nd party-workman that on the alleged date and time of the incident his dumper was intercepted by five/six unknown culprits and while the culprits were forcibly collecting diesel from his dumper in jerkins after putting him under threat, the patrolling team arrived at the spot. Seeing the patrolling team the unknown culprits ran away from the spot. But, he was intentionally charge-sheeted with allegation of committing theft of diesel from the dumper. Without appreciating the actual facts and circumstances of the incident, he was unnecessarily held guilty of misconduct and the punishment of dismissal was disproportionate to the gravity of the charges levelled against him. The findings of the enquiry officer and the disciplinary authority suffers from non-application of mind to the facts and circumstances evolved in the domestic enquiry and therefore, the punishment of dismissal from service is not sustainable in the eye of law and the said punishment is also shockingly disproportionate to the gravity of misconduct allegedly committed by him. The workman has claimed for his reinstatement, back wages and other service benefits.

4. In its written statement the Management has refuted all the above allegations of the workman and taken a stand that when the 2nd party-workman was cut red-handed by the security staff while stealing diesel in jerkins from the dumper allotted to him by using a PVC pipe, he was issued with charge-sheet with specific allegations and a due domestic enquiry was conducted with conformity to the principles of natural justice and provisions of Standing Order. The delinquent workman was furnished with all necessary papers and afforded due opportunities to defend himself in the domestic enquiry. He refused to engage any co-worker to defend himself and he participated in the domestic enquiry and put questions to the departmental witnesses. As the enquiry officer found the charges to have been established against him, he submitted a report to the disciplinary authority holding the 2nd party-workman guilty of committing serious misconduct. It is the claim of the Management that the workman being found guilty of committing a serious misconduct he was dismissed from service after observance of all formalities. The dispute raised by the workman has no merit and as such the same shall be dismissed out-rightly.

5. On the aforesaid pleadings of the parties the following issues have been settled for just and proper adjudication of the dispute.

ISSUES

1. Whether the action of the Management of M/s. MCL in imposing penalty of dismissal from service with effect from 02.02.2007 on Shri P.N. Parida is legal and justified?
2. To what relief is the claimant entitled?

6. It is pertinent to mention here that neither the Management nor the disputant workman insisted to decide the fairness of the departmental enquiry as a preliminary issue and rather both the parties consented simultaneous disposal of all issues and led evidence accordingly. The 2nd party-workman has examined himself and filed document like copy of the charge-sheet given to him in support of his stand. On the other hand six witnesses including the enquiry officer have been examined on behalf of the Management and filed documents like copy of charge-sheet with suspension, copy of office order dated 24.6.2006, copy of the enquiry proceeding file and copy of the letter dated 2.2.2007 to refute the allegations of the disputant workman.

7. Law is well settled that a departmental enquiry cannot be said to have been properly conducted unless (i) the workman proceeded against has been informed clearly of the charges levelled against him and the materials likely to be produced against him in the departmental enquiry (ii) the witness are examined ordinarily in his presence in respect of the charges, (iii) he is given a fair opportunity to cross examine the departmental witnesses, (iv) he is given a fair opportunity to examine witnesses including himself in his defence if he so wishes, and the enquiry officer records his

findings with reasons for the same in his report. For the above purpose the enquiry is required to be conducted in a language understandable by the workman. Coming to the case at hand no serious dispute seems to have been raised by the disputant workman that he was not either furnished with any material documents or list of witnesses likely to be examined by the Management/Department or he was prejudiced for non-supply of such vital materials prior to commencement of the domestic enquiry. It seems that he has given a bald statement before this Tribunal that he was denied with opportunities of engaging a person to defend himself and he was not allowed to cross examine the witnesses. On the other hand the copy of the enquiry proceeding file (Ext.-7) exhibited on behalf of the disputant workman clearly indicates that on the commencement of the domestic enquiry on 28.7.2006 the enquiring officer categorically asked the disputant workman if he needed any co-worker to assist him and he (the workman) declined such assistance. It is emerging from the evidence of the parties as well as the departmental proceeding file that the disputant workman participated in the domestic enquiry. Ext.-7 further reveals that statement of the departmental witnesses and their cross examination by the workman were recorded in question and answer format. That apart, the witnesses examined before this Tribunal by the Management have admitted to have recorded their statements before the enquiry officer. The enquiry officer, who has been examined as Management Witness No. 6, has categorically stated that he afforded opportunities to the workman to engage a co-worker to defend him in the domestic enquiry. Nothing has been elicited from his cross examination to disbelieve his above version. None of the papers relied upon by the workman leads to any inference that he was either denied opportunities to cross examine the departmental witnesses or he was denied to engage a co-worker to defend himself in the domestic enquiry.

8. Though the workman has categorically pleaded and stated that the domestic enquiry was conducted in English language to which he was not acquainted with, it is emerging from the cross examination of M.W.-1 and evidence of M.W.-6 that the departmental proceeding was conducted in Oriya whereas the proceeding was recorded in English. Careful scrutiny of the departmental proceeding file does not reveal that in any point of time in the domestic enquiry the workman had ever raised allegation that he was prejudiced due to recording of the proceeding in English. Hence, such plea of prejudice due to proceeding being recorded in English appears to be after thought. The other contention of the disputant workman is that the Management did not lodge any FIR even though allegation was raised for theft of diesel from the dumper and as such the charge levelled against him was not established. It is well settled that charges in a departmental enquiry need not be established beyond reasonable doubt and proof of misconduct is sufficient. All materials which are logically probative for a prudent mind are permissible even there is no allergy to hearsay evidence provided it has reasonable nexus and credibility. Finding in a departmental proceeding is usually based on pre-ponderance of probability. Confession of the delinquent made in presence of the witnesses and to the higher officers who also appeared as witness in the domestic enquiry can be taken into reliance. Complaint against the delinquent employee, if not frivolous and if sustainable by circumstantial evidence can be relied on. Keeping the above principles in view if the materials produced before the enquiring officer as well as the evidence recorded by the Management witnesses in this Tribunal are taken into consideration altogether no prudent man can say that the findings of the enquiring officer in the domestic enquiry was either perverse or the same was not based on the materials led before him. There is also nothing serious elicited in the cross examination of the enquiry officer (M.W.-6) to suggest that he acted in a biased manner in the domestic enquiry or there was violation of the principles of natural justice on his part. It cannot be said from the materials produced before him that his findings was not based upon any evidence or the same was perverse. As per the settled principle the Industrial Tribunal cannot sit as an appellate forum to analyze the findings of the domestic enquiry. It is only to see whether there was a prima facie case for dismissal and whether the employer had come to the bonafide conclusion that the employee was guilty of misconduct and there was no unfair labour practice and victimization. Neither the evidence of the disputant workman nor the facts elicited from the cross examination of the departmental witnesses i.e. M.W.-1 to M.W.-6 have established that the departmental enquiry was not conducted in proper and fair manner and there was violation of principle of natural justice or any provisions of the Certified Standing Order of the Management or the delinquent was victim of unfair labour practice and he was dismissed from service on victimization.

9. Coming to the contention raised by the disputant workman that enquiry officer has failed to appreciate his statement made during the enquiry in proper perspective in as much as he (enquiry officer) failed to assign any reason while discarding the plea of the disputant workman that theft of diesel was committed by unknown culprits under threat it can be simply said that the enquiry officer is to give his findings on the basis of pre-ponderance of probabilities and he is not required to scan the evidence/materials produced before him like a criminal court. It is well settled that the purpose of domestic enquiry is to find out whether the misconduct alleged against the delinquent workman has in-fact been committed by him before a disciplinary punishment could be inflicted upon him. In departmental proceeding the standard of proof for the charge is mere pre-ponderance of probabilities. Such being the position of law the materials led before the enquiring officer appears to be adequate for a reasonable and prudent person to arrive a conclusion that delinquent workman was apprehended by the patrolling party of the Management while stealing diesel from the dumper allotted to him. In the above back-drop the statement and defence advanced by the workman that he was intercepted by

some unknown culprits and threatened to part diesel from the vehicle cannot be accepted. For the reasons mentioned above it cannot be said that the enquiry was not conducted in a fair and proper manner.

10. Now coming to the issue of what relief the workman is entitled to the workman has strenuously argued that there was no past adverse record to his credit and the alleged misconduct being related to alleged attempt on the part of the workman to dispose of a few litres of diesel from the dumper, the punishment of dismissal is shockingly and highly disproportionate to the misconduct allegedly committed by the workman. Law is well settled that an industrial adjudicator has not only the jurisdiction to set aside the order of discharge or dismissal of a workman and direct his reinstatement but it also has the discretion to mould that relief including the award of lesser punishment in lieu of discharge or dismissal as may be warranted by the circumstances of the case. It has been held by the Hon'ble Apex Court in a catena of decisions that the Industrial Tribunal exercising powers under Section 11-A of the Act after finding the misconduct to have been proved is first obliged to advert itself to the question of necessity or desirability to interfere with the punishment imposed by the Management and if the Management could not justify the punishment imposed thereafter it must consider the question as to the relief that is to be granted to the workman. In so considering the relief to be granted, the Tribunal to consider whether the punishment imposed is disproportionate or shockingly severe to the charges held prove and if so, whether a reinstatement has to be ordered or whether any other lesser punishment has to be imposed. A specific finding must be recorded whether it was expedient and proper to reinstate the employee or whether award of compensation in lieu of reinstatement will meet the requirements and ends of justice of the case concerned. In the case at hand indisputably there is nothing on the record to suggest or to hold that the workman was having any adverse record to his credit or he was warned for his such past conduct. As jerkins filled with diesel were apprehended and in absence of any materials either before the enquiry officer or in this Tribunal it is difficult to say that any loss was caused to the Management by making an attempt to commit theft of diesel from the dumper. The pleadings and evidence of the parties as well as the departmental proceeding file do not specifically indicate that any show-cause was issued to the delinquent workman or he was given any opportunity to submit his say before infliction of major punishment of dismissal. Keeping in view the above facts and circumstances it appears to me that punishment of dismissal at the first instance of serious misconduct on the part of the workman appears to be highly and shockingly disproportionate to the gravity of charges established against him. At the same time it cannot be over-sighted his dismissal related to the year 2006 and in the meanwhile he has crossed the age of superannuation. Therefore, the direction of his reinstatement with infliction of any lesser punishment would not suffice in the instant case.

11. However, taking into consideration the totality of the above situations it can be safely said that the punishment of dismissal of the workman was not justified and as such the same should be treated as illegal and the workman should be paid an amount of Rs. 1,00,000/- (rupees one lakh) as a compensation in lieu of his reinstatement or infliction of any lesser punishment. The compensation should be paid within three months from the date of notification of the award failing which the workman is entitled to an interest of 6.5% on the said compensation amount from the date of the said gazette notification.

12. Reference is answered accordingly.

Dictated & Corrected by me.

B. C. RATH, Presiding Officer

नई दिल्ली, 15 नवम्बर, 2017

का.आ. 2662.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार फूड कारपोरेशन ऑफ इंडिया एवं उनके कर्मचारी के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 63/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.11.2017 को प्राप्त हुआ था।

[सं. एल-22012/203/2006-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 15th November, 2017

S.O. 2662.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I.D. No. 63/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in Annexure, in the industrial dispute between the employers in relation to the Food Corporation of India and their workman, received by the Central Government on 08.11.2017.

[No. L-22012/203/2006-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
 Presiding Officer, CGIT-cum-Labour Court,
 Ahmedabad,
 Dated 10th October, 2017

Reference: (CGITA) No. 63/2007

1. The Zonal Manager,
 Food Corporation of India,
 Zonal Office, DWD Road,
 Mumbai
2. The Regional Manager,
 Food Corporation of India,
 Regional Office, Near Himali Tower,
 Shaymal Manek Baugh Road, Satellite,
 Ahmedabad (Gujarat)

...First Party

V/s

Shri Jayesh C. Bharwad,
 S/o Late Shri C.M. Bharwad,
 10, Shrigita Society,
 Asarwa, Chamanpura,
 Ahmedabad (Gujarat)

...Second Party

For the First Party : Shri V.F. Momin

For the Second Party : None

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-22012/203/2006-IR(CM-II) dated 05.07.2007 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of FCI in not providing employment to the dependent of Shri Jayesh C. Bharwad under compassionate scheme is legal and justified? If not, to what relief is the dependant of the deceased entitled?”

1. The reference dates back to 05.07.2007. Despite service of notice on both the parties, neither of the parties submitted their reply to the reference despite put in their vakalatpatra of their advocates before the Industrial Tribunal. Despite non-appearance and after receiving the record by way of transfer order by the Central Government dated 01.01.2010, fresh notice was issued to both the parties on 13.01.2001 to appear on 29.06.2011. In response to the notice, both the parties put in their appearance Ex. 11 and 12 and vakalatpatra Ex. 13. But both the parties did not prefer to submit the statement of claim or written statement as the case may be.
2. Thus it appears that the both the parties are not willing to prosecute the case.
3. Therefore, the reference in the absence of the parties, is disposed of with the observation as under: “the action of the management of FCI in not providing employment to the dependent of Shri Jayesh C. Bharwad under compassionate scheme is legal and justified.”

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 15 नवम्बर, 2017

का.आ. 2663.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डिवीजनल इंजिनियर (एचक्यू) केंद्रीय, लखनऊ, प्रिंसिपल, जवाहर नवोदय विद्यालय, झांसी के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 25/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 07.02.2017 को प्राप्त हुआ था।

[सं. एल-40012/169/2002-आईआर (डीयू)]

बी. एल. मीणा, उप सचिव

New Delhi, the 15th November, 2017

S.O. 2663.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I.D. Case No. 25/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the industrial dispute between the employers in relation to the Divisional Engineer (AHQ) Central, Lucknow and their workman, which was received by the Central Government on 15.11.2017.

[No. L-40012/169/2002-IR (DU)]

B. L. MEENA, Dy. Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT : RAKESH KUMAR, Presiding Officer

I.D. No. 25/2003

Ref.No. L-40012/169/2002 IR(DU) dated 05.02.2003

BETWEEN :

Sri Manjeet Singh S/o Sardar Mohan Singh
R/o LD 227 Sector F,
LDA Colony, Kanpur Road
Lucknow

AND

1. The Divisional Engineer (AHQ), Central,
C/o Director (OFC), CE,
Gomti Nagar Telephone Exchange, 2nd Floor
Lucknow

AWARD

1. By order No. L-40012/57/2009-IR(CM-II) dated 05.02.2003 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub section (1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between the Sri Manjit Singh S/o Sri Mohan Singh, LDA Colony, Kanpur Road, Lucknow and the Divisional Engineer (AHQ), Central, Gomti Nagar Telephone Exchange, 2nd Floor, Lucknow for adjudication.

2. The reference under adjudication is:

“WHETHER THE ACTION OF THE BHARAT SANCHAR NIGAM LTD. IN ORALLY TERMINATING THE SERVICES OF SH. MANJEET SINGH S/O SARDAR MOHAN SINGH W.E.F. 01.09.2001 IS LEGAL AND JUSTIFIED?” IF NOT TO WHAT RELIEF THE WORKMAN IS ENTITLED ?”

3. As per claim statement W-12, the petitioner has stated in brief that he has worked as Driver on the permanent post under the subordination of opposite party since 10.12.1998 to August 2001, he was asked to drive Matador No. UP 32T 9782 and sometimes six wheel Truck UP 32 T 3567. The workman has further asserted that during his employment no charge sheet was issued, his carrier has been blotless, even then Sri H.L. Maurya, JTO(Store) Lucknow by an oral order removed him from the service without assigning any reason, next day and on subsequent dates he went to the office to perform his duties but his request was not accepted and he was not reinstated. No prior notice was issued, neither any salary in lieu of notice or retrenchment compensation was paid. Moreover another workman was employed in his place.

4. The petitioner has further alleged that from 10.12.1998 to Jan.2000 he was paid @ Rs.96/ per day, and was required to sign on the receipt, similarly from Feb., 2000 to May, 2000 he was paid @ Rs.600/- per month, from June, 2000 to August, 2001 @ Rs.800/- per month, and when he raised objection, he was asked to accept whatever is being paid and the remaining salary will be paid @ Rs.96/- per day but when the petitioner raised demand again and again his services were terminated on 01.09.2001 and the remaining salary of Rs.41,088/- was not paid till date. The workman had asserted that he moved under Section 33C(2) before the U.P. Labour Court on 09.05.2002, case has been registered as Misc. 70/2002 and is still pending. Conciliation proceeding before the RLC have failed, the matter has been referred to Ministry, Ministry sent the matter to this Tribunal.

5. The petitioner has submitted details of the log book and duty performed by him w.e.f. 10.12.1998 to 31.08.2001, having worked for more than 240 days. Details have been given in several sub paras of Para 9 of the claim statement.

6. The workman has asserted that he had worked for more than 240 days in the period in question and the opposite party has intentionally not followed the I.D. Act., Provisions, unfair labour practice has been adopted and his legal right has been infringed. With the aforesaid pleadings request has been made by the petitioner to declare the impugned order as illegal and to reinstate him with continuity in service.
7. The management has filed written statement M-18 wherein allegations leveled in the claim statement have been denied. Opposite party has asserted that the said OFC Division is not permanent establishment of the BSNL, it was created for the completion of certain projects, applicant was neither appointed nor engaged in on temporary or permanent status, no appointment letter was ever issued by the competent authority in favour of the workman. Telecom Policy 1999 and consequential developments have been mentioned in the written statement. The opposite party has asserted that there is no sanctioned post of Driver in OFC Division and the applicant was never appointed, nor engaged by any competent authority either on regular or temporary basis. Misleading and misconceived facts have been given by the workman in the claim statement.
8. The opposite party has stressed that Sri H.L. Maurya, JTO was neither appointing authority, nor he was competent to terminate the regular employee, he could not accord any temporary or permanent sanction to keep the casual labour. Pendency of case Under Section 33C(2) of I.D. Act has been admitted by the opposite party. The management has submitted that if the applicant was appointed or engaged by some contractor then any competent authority does not have any liability to regularize his service particularly when there was no regular sanction post of the Driver in the project. Hon'ble Supreme Court and Hon'ble High Court judgments have been referred without any specific citation by the opposite party. The management has requested to dismiss the petition with cost in favour of the management.
9. With strong denial of the main facts raised by the opposite party in its written statement, rejoinder W-18 has been filed by the workman, reiterating the pleas taken the claim statement.
10. The management has further filed additional written statement M-21 and has mentioned therein citation of 2003 (1) LBESR, 415, Hon'ble Supreme Court submitting thereby that the proof of working days is on employee in the event of any denial of said factum. The management has further mentioned that UP 32T 9782 has been idle since long and no other vehicle was ever engaged/provided against the condemned vehicle UP 32T 9782. The workman further rebutted additional written statement with its supplementary W-23. The application C-25 for summoning the documents was moved by the workman. This application was disposed by the then Hon'ble Presiding Officer vide order dated 25.05.2005.
11. The workman submitted his evidence through affidavit. He was thoroughly cross examined on behalf of the management. The workman further adduced his witnesses, Sri Sarvajeet Upadhyaya, Sri Bhubneshwar Tewari, Sardar Saran Jit Singh in evidence.
12. The management filed affidavit of Sri H.L. Rai, and Sri Tribhuan Dutt in its evidence. Sri Tribhuan Datt was cross examined on behalf of the workman. Subsequently on the application of management, its witness Sri H.L. Rai was permitted in the court for his cross examination on behalf of the workman. On 6.9.1013 further cross examination of Sri H.L. Rai was deferred but could not be concluded.
13. Arguments of both the parties have been heard at length, Record available before the court has been scanned thoroughly.
14. Several adjournments were earlier sought by opposite party for filing original documents. On 24.09.2015 Learned AR for the opposite party submitted that original documents were not traceable, moreover none appeared on behalf of the management to verify the documents filed by the workman. In such circumstances the case was fixed for argument. Again on certain dates, none appeared but later on workman and his Learned AR made their appearance on every day before this court but the management official or its learned AR failed to appear before the court.
15. It has been submitted on behalf of the workman that he had joined on 10.12.1998 to work as Driver and had continuously performed his duties till 31.08.2001, and had worked for more than 240 days therefore legal requirement has been fulfilled even then the management has violated the statutory provisions of the I.D. Act., his services were illegally terminated. Details regarding bill number, payment of cheque etc. have furnished by the petitioner in para 9 (v) of the claim statement and further the details regarding endorsement on the gate pass with reference to the period mentioned have been elaborated in 9(vi) of the claim statement. Proof regarding work done by the petitioner has again been given in the paras 9(vii) and (viii) and other paras of the claim statement. The management has denied the allegations leveled in the claim statement and specifically asserted that the petitioner was never appointed or engaged by the competent authority either on regular or permanent basis, no appointment letter was issued. It has also been asserted by the management that there is no post of Driver in OFC. As per application C-25 dated 06.10.2004 request has been made by the workman to summon 293 documents mentioned therein, from the office of the management. The petitioner has himself supported pleas taken in the claim statement and rejoinder, he has been thoroughly cross examined on behalf of the management as well as certain questions were put up by the then Hon'ble Judge/PO.

16. Mr.Sarvajeet Upadhaya was adduced in evidence by the petitioner. He has stated on oath that petitioner was Driver under the BSNL and quite often visited the Petrol Pump to take petrol and lubricants etc. on credit memos. Vehicle numbers have also been given by the witness. Sri S.B.Tewari and Sardar Saran Jeet Singh have also been adduced in the evidence by the petitioner.

17. In cross examination witness Sri Sarvajeet Upadhaya asserted that he has worked in Avadh Petrol Pump Filling Station. Sri S.B. Tewari witness claiming himself as delivery man on the petrol pump has also been cross examined on behalf of the management. Another witness Sardar Saran Jit Singh has also been cross examined by the management.

18. The management has filed affidavit of Sri H.L.Rai and Sri Tribhuan Dutt. Several documents confronted by the AR of the workman in the cross examination, have been admitted in para 7 by the Sri T.Dutt, while on some other papers he has admitted his initials. Documents pertaining to gate pass etc. have been admitted. This witness in para 14 has asserted that he is unable to specify whether the alleged vehicle belongs to BSNL or not.

19. Sri H.L. Rai, DE has also been cross examined on behalf of the workman. Whether any requisition slips for purchasing Diesel or Petrol in the said vehicle have been issued by him or not, Sri H.L. Rai replied that he did not remember rather asserted that such slips might have been issued with the directions of the superior authorities. He has also been asked to disclose the name of the Driver of the vehicle but he could not reply. Photo copies of the log book have neither been accepted nor denied by the management witness.

20. It may be quite pertinent to mention here that in the application M-83 dated 24.04.2015 request has been made by the learned AR for the management to grant time so as to verify the authenticity of the disputed documents with some competent authority. Sufficient time was granted but no such verification was made by any official of the management, neither any written request was submitted by the management. Another application was also moved by the management on 30.07.2015, which was allowed. More than 11 dates were given but the management could not verify the correctness of the documents referred by the workman.

21. Learned AR for the workman has argued that from Dec.1999 to Nov.2000 and from June 2000 to Dec.2000 he had worked for 280 days and 270 days, respectively, as per log book. Duties performed by the workman have been corroborated by the witness adduced before this Court. No doubt, the management has also produced its witness before this court but their evidence is cryptic, vague and evasive. Although learned AR for the opposite party has taken sincere pains but the concerned officers of the management have miserably failed to discharge their duties. They could not muster courage to specifically deny the truthfulness or authenticity of the documents, relied upon by the petitioner. It is also an important fact to mention that none has appeared in the court to submit arguments on behalf of the management, although affidavits in evidence have been filed earlier and witness have been cross examined also.

22. With regard to the matter in issue, in the present case, principle propounded by Hon'ble Supreme Court in the following Rulings are quite pertinent.

1. (2002), 3 SCC, R.F.O. Vs. S.T. Hadimani Page 25.
2. (2005), 8 SCC, Surendra Nagar District Panchyat Vs. Jetha Bhai Pitambarbhai Page 450.
3. (2006) 1, SCC, R.M.Yellati Vs. Executive Engineer, Page 106.
4. (2010) 1 SCC (L&S) Jagbir Singh Vs Haryana State Agriculture Board, page 545.

23. After having heard learned AR for the workman, scrutiny of the evidence adduced by both the parties in the light of the documents submitted before this Court, it is inferred that the alleged oral termination order of the workman Sri Manjit Singh w.e.f. 01.09.2001 can not be adjudicated as legal and justified. The petitioner workman is entitled for reinstatement w.e.f. 01.09.2001 alongwith 50% of the back wages. The management is directed to ensure payment of the dues to the petitioner within 10 weeks from the date of publication of award failing which interest @ 6% per annum shall also be paid to the petitioner by the management.

24. Award as above.

LUCKNOW
16.05.2017

RAKESH KUMAR, Presiding Officer